



Arlington Conservation Commission

Date: Thursday, October 19, 2023
Time: 7:00 PM
Location: Conducted by Remote Participation

Please register in advance for this meeting. Reference materials, instructions, and access information for this specific meeting will be available 48 hours prior to the meeting on the Commission's agenda and minutes page. This meeting will be conducted in a remote format consistent with Chapter 2 of the Acts of 2023, which further extends certain COVID-19 measures regarding remote participation in public meetings until March 31, 2025. Please note: Not all items listed may in fact be discussed and other items not listed may be brought up for discussion to the extent permitted by law. This agenda includes those matters which can be reasonably anticipated to be discussed at the meeting.

Agenda

1. Administrative
 - a. Meeting Minutes.
 - b. Correspondence Received.
All correspondence is available to the public. For a full list, contact the Conservation Agent at concomm@town.arlington.ma.us.
 - c. Certificate of Compliance: 10 Devereaux Street.
2. Discussion
 - a. Unpermitted Vegetation Removal Near Brookside Condos.
 - b. Enforcement Order: 66R Dudley Street.
 - c. Symmes Conservation Restriction.
 - d. CPA Updates.
 - e. Water Bodies Working Group.
- Spy Pond Invasive Control.
 - f. Park & Recreation Commission Liaison.
- Next meeting of the Park & Recreation Commission to be held on 10/24.
3. Hearings

Notice of Intent: Thorndike Place (Continuation from 09/21/23).

Notice of Intent: Thorndike Place (Continuation from 09/21/23).

The Conservation Commission will hold a public hearing under the Wetlands Protection Act to consider a Notice of Intent for the construction of Thorndike Place, a multifamily development on Dorothy Road in Arlington. This hearing will concern the Conservation Commission's request for peer review of submitted materials.



Town of Arlington, Massachusetts

Correspondence Received.

Summary:

Correspondence Received.

All correspondence is available to the public. For a full list, contact the Conservation Agent at concomm@town.arlington.ma.us.

ATTACHMENTS:

Type	File Name	Description
▢ Reference Material	Correspondence_Received_-_Nina_Shepardson.pdf	Correspondence Received - Nina Shepardson
▢ Reference Material	Correspondence_Received_-_Beth_Melofchik.pdf	Correspondence Received - Beth Melofchik
▢ Reference Material	Correspondence_Received_-_Nick_Teague.pdf	Correspondence Received - Nick Teague
▢ Reference Material	Correspondence_Received_-_Ted_Siegan.pdf	Correspondence Received - Ted Siegan
▢ Reference Material	Correspondence_Received_-_Brian_McBride.pdf	Correspondence Received - Brian McBride
▢ Reference Material	Correspondence_Received_-_Julie_DiBiase.pdf	Correspondence Received - Julie DiBiase

Regarding the proposed Thorndike Place development

Nina Shepardson <nmallozzi@gmail.com>

Mon 10/9/2023 9:47 PM

To: ConComm <ConComm@town.arlington.ma.us>

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear committee members,

I am writing to express my concerns about the proposed Thorndike Place development. As I understand it, part of this development would take place on a floodplain as identified by FEMA. As the effects of climate change intensify, flooding in the area will likely become more frequent. Eroding the floodplain could have serious negative impacts both for current residents of the neighborhood and for people moving into the proposed development. This is especially concerning as some of the new units would be designated as senior living or low-income housing. Low-income families and senior citizens on fixed incomes would have greater difficulty paying the repair costs when flooding inevitably damages their homes.

It is also worth questioning whether homes knowingly built on a floodplain would even be insurable. At least one major insurance company has ceased selling homeowner's insurance in Florida due to the costs associated with repeated hurricane damage. Will the people who live at the proposed Thorndike Place development be able to obtain homeowner's/renter's insurance?

I believe that we need more affordable housing in the Greater Boston area, but I don't support shunting low-income people and vulnerable seniors into locations where they will likely have to deal with recurrent property damage and may have difficulty insuring their homes. I also don't support development that would exacerbate the consequences of extreme weather events that can be expected due to climate change.

I would urge the Conservation Committee to consider these impacts when determining whether or not to approve this project.

Sincerely,
Nina Shepardson (Arlington resident since 2020)

Fw: Russell Parking

Beth Melofchik <tankmadel@yahoo.com>

Sat 10/7/2023 10:08 AM

To: ConComm <ConComm@town.arlington.ma.us>

Cc: Elisabeth Carr-Jones <elisabeth@carr-jones.com>; Ellen Cohen <elscorn@aol.com>; Robin Bergman <robinorig@gmail.com>

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Colleagues, tree lovers, forest advocates, Somerville High School is planting a Miyawaki forest.

Where's Arlington's?

And, no street trees appear to be in the Chestnut Street redo, how did this oversight occur?

Let's honor Ann Desrosiers and serve the public good with a Miyawaki forest as the centerpiece of a new Russell Common: green home to Arlington Farmers Market, spot for EV recharging & reduced parking & more community cooling, storm water cleansing

Let's get this in the works. Please consider as a topic for your various committees.

Beth Melofchik

[Urban Micro-Forest \(Miyawaki\)](#) | [SomerVoice \(somervillema.gov\)](#)

----- Forwarded Message -----

From: Beth Melofchik <tankmadel@yahoo.com>

To: David Morgan <concomm@town.arlington.ma.us>

Cc: Elisabeth Carr-Jones <elisabeth@carr-jones.com>; Ellen Cohen <elscorn@aol.com>; Robin Bergman <robinorig@gmail.com>

Sent: Friday, October 6, 2023 at 10:15:30 AM EDT

Subject: Russell Parking

Hi David,

There are other issues besides housing so I want to remind us, that several have raised the notion of returning Russell Parking or a portion to the community. Cambridge has and soon Winchester will have a new small diverse native forest.

Since they are only the size of a basketball court, see article below, I thought again how nice to imagine one as a memorial to Ann Desrosiers within a redesigned green space at Russell Common.

It might be worth looking at how the gift of Farmer Russell of the field to be the town green, became parking, much like how Conservation Land became space to build Cusack Terrace and the police building atop it.

Climate breakdown and rapidly rising temperatures inspires me and I hope you to examine and reimagine Russell Common for the public good.

Beth Melofchik

[Tiny forests with big benefits - The Boston Globe](#)

Tiny forests with big benefits - The Boston Globe

Tiny forests are slowly but steadily appearing in the United States. In recent years, they've been planted along...

Re: Arlington Reservoir/Jerry Cataldo Trash Problem

David Morgan <dmorgan@town.arlington.ma.us>

Wed 10/11/2023 10:30 AM

To: Nick Teague <nickteague23@gmail.com>; ConComm <ConComm@town.arlington.ma.us>

Cc: Joe Connelly <jconnelly@town.arlington.ma.us>

Hi Nick,

Thanks for your concern, I agree that the dumping doesn't belong there. It's illegal under the Wetlands Protection Act and our local wetlands protection bylaw. We can enforce both when we know who the right party is. Meanwhile, Recreation maintains the area, so I'm copying Director Joe Connelly so he sees your message.

Cheers,

David

David Morgan | Environmental Planner + Conservation Agent | Department of Planning and Community Development | 781.316.3012

Arlington values equity, diversity, and inclusion. We are committed to building a community where everyone is heard, respected, and protected.

From: Nick Teague <nickteague23@gmail.com>

Sent: Wednesday, October 11, 2023 7:22 AM

To: ConComm <ConComm@town.arlington.ma.us>

Subject: Arlington Reservoir/Jerry Cataldo Trash Problem

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hi all,

I'm writing to bring your awareness to a problem I have noticed growing at both the Arlington Reservoir and Jerry Cataldo Reservation since this time last year. Recently, while photographing the many birds that call the land home, I have noticed a tremendous amount of trash. This has ranged from small pieces of plastic, glasses, chargers, hubcaps and even several truck tires. While I have picked up many of the small pieces of trash I have found along the shore, I am unable to remove large objects such as the tires. I urge you to consider cleaning up major pieces of trash at the Reservoir and Reservation as they are unsightly and ruin the environment. This time of year is the perfect time to clean the shores as the water level is the lowest, and the water hasn't frozen yet.

Thank you for your time,
Nick Teague

Fwd: Forest restoration

ted siegan <tedsiegan@gmail.com>

Thu 10/12/2023 5:26 PM

To: David Morgan <dmorgan@town.arlington.ma.us>

Cc: Christopher Leich <cmleich@comcast.net>

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The consultant arborist at Symmes completed a preliminary report, which includes some forest restoration.

He left out the native hickories, beech, hemlock, black cherry, chokeberry, choke cherry, sweet birch, witch hazel, dogwood, and many others. Many understory plants in addition to low bush blueberry will increase diversity and are readily available.



Regards,

Ted Siegan, Arlington Land Trust

Cell: 617 306-2052

Re: Mugar Walk Theu

Brian McBride <brianmcb@outlook.com>

Fri 10/13/2023 12:58 PM

To: Brian McBride <brianmcb@outlook.com>

Cc: Susan Chapnick <s.chapnick@comcast.net>; David Morgan <dmorgan@town.arlington.ma.us>; Chuck Tirone <ctirone@ci.reading.ma.us>; David Kaplan <dkaplan31@gmail.com>; dwhite@gilbertwhite.com <dwhite@gilbertwhite.com>; mikeg125@gmail.com <mikeg125@gmail.com>; NStevens@mcgregorlaw.com <NStevens@mcgregorlaw.com>

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

I was walking at the Mugar site this morning and saw a nice healthy coyote.

Brian McBride
m 617-645-8729

> On Oct 10, 2023, at 6:15 PM, Brian McBride <brianmcb@outlook.com> wrote:
>
> Sorry - I have to take a short phone call in the car at 8am I'll catch up w the group if needed.
>
>
> Brian McBride
> m 617-645-8729

RE: Thorndike Place Development

Julie DiBiase <jada86@aol.com>

Mon 10/16/2023 6:31 PM

To: ConComm <ConComm@town.arlington.ma.us>

 5 attachments (8 MB)

ebird Thorndike Field.pdf; ebird report pg 2.pdf; End of Littlejohn Street.pdf; Dorothy Road.pdf; Deer Mugar Woods.pdf;

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Conservation Committee Members,

As direct abutters to the Mugar property residing at 29 Littlejohn Street for over 30 years, our opposition to the proposed Thorndike Place development is due to several critical factors.

During our many years in East Arlington, we have had numerous flooding events which has caused property damage to our home and have witnessed our neighbors deal with the same. Even moderate rainfall contributes to these events. The Mugar site with its many trees, shrubs and wetlands is essential to our neighborhood for flood control and storm damage protection. The Thorndike Place development will be catastrophic to our area.

The current conditions of the Mugar site consists of vegetation, trees, shrubs, wetlands, valleys and swales which allow rainfall and overflow from Rt. 2 and the Alewife Brook to be absorbed. Areas of the Mugar property sit lower than Dorothy Road, the pooling of water that accumulates in these low-lying areas is significant allowing for more water storage. However, during heavy rainfall, Dorothy Road and Littlejohn Street often have several inches of water backing up into the street which has contributed to flooding in many of the homes in the neighborhood. With the site being developed and its topography being changed, the land will no longer function with the ability to absorb large volumes of water. This will only increase water displacement and lead to more flooding. In addition, we have not seen a future site plan with current and future land grades illustrated on a topography map. This information is critical in understanding water displacement for the future site.

As one of Arlington's last open spaces, the Mugar property offers food, shelter and cover for a vast array of wildlife. Over the years, we have seen numerous animals on the property including coyotes, foxes, turkeys, deer, rabbits, squirrels, opossums, and chipmunks. In and around Thorndike Field along perimeter of Mugar woods, ninety-nine different species of birds have also been spotted, including the Bald Eagle. (see attached report from [eBird.org](https://ebird.org)).

Building on this site will result in the destruction of the many habitats for the diverse wildlife in this area.

In accordance with Arlington's Master Plan, we strongly feel that the entire 17.7 acres should remain as open space. For your review, please see attached photos.

Thank you for your time and attention to this matter,

Sincerely,

Robert & Julie DiBiase
29 Littlejohn Street



Town of Arlington, Massachusetts

Certificate of Compliance: 10 Devereaux Street.

Summary:

Certificate of Compliance: 10 Devereaux Street.

ATTACHMENTS:

	Type	File Name	Description
▢	Reference Material	Memorandum_10_Devereaux_Street.pdf	Memorandum 10 Devereaux Street
▢	Reference Material	10_Devereaux_Order_of_Conditions.pdf	10 Devereaux Order of Conditions

MEMORANDUM

Date: September 28, 2023
To: Arlington Conservation Commission, c/o David Morgan
From: Ryan Clapp
Re: Certificate of Compliance - DEP #091-0242: #10 Devereaux Street

A Request for a Certificate of Compliance for DEP #091-0242 was received by the Arlington Conservation Commission. The details of the Order of Conditions are as follows:

Address:	10 Devereaux Street
Applicant:	Stephen J. Ricci
Date of Issuance:	July 25, 2012
Recording Information:	Middlesex; Book 81984, Page 129
Approved Work:	Installation of a dock

On August 26, 2023, with the Applicant, I visited the site at #10 Devereaux Street to confirm that the project had been completed in accordance with the site plans, narrative, and Order of Conditions. Please see the attached photographs taken as exhibits.

Based on my observations onsite, I recommend the Arlington Conservation Commission issue a Certificate of Compliance for DEP #091-0242: #10 Devereaux Street.







MassDEP File #

eDEP Transaction #

Arlington
City/Town



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 5 – Order of Conditions

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

91-242

MassDEP File #

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Arlington

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A. General Information (cont.)

6. Property recorded at the Registry of Deeds for (attach additional information if more than one parcel):

Middlesex

a. County

32229

c. Book

b. Certificate Number (if registered land)

150

d. Page

7. Dates: 6/03/12 7/19/12

a. Date Notice of Intent Filed

b. Date Public Hearing Closed

c. Date of Issuance

8. Final Approved Plans and Other Documents (attach additional plan or document references as needed):

Proposed Dock on Spy Pond, App. C for Simplified License Plan, Sketch A and B

a. Plan Title

Stephen Ricci

b. Prepared By

6/03/12

d. Final Revision Date

c. Signed and Stamped by

e. Scale

f. Additional Plan or Document Title

g. Date

B. Findings

1. Findings pursuant to the Massachusetts Wetlands Protection Act:

Following the review of the above-referenced Notice of Intent and based on the information provided in this application and presented at the public hearing, this Commission finds that the areas in which work is proposed is significant to the following interests of the Wetlands Protection Act (the Act). Check all that apply:

- a. ☐ Public Water Supply b. ☐ Land Containing Shellfish c. ☒ Prevention of Pollution
- d. ☐ Private Water Supply e. ☒ Fisheries f. ☒ Protection of Wildlife Habitat
- g. ☐ Groundwater Supply h. ☒ Storm Damage Prevention i. ☒ Flood Control

2. This Commission hereby finds the project, as proposed, is: (check one of the following boxes)

Approved subject to:

- a. ☒ the following conditions which are necessary in accordance with the performance standards set forth in the wetlands regulations. This Commission orders that all work shall be performed in accordance with the Notice of Intent referenced above, the following General Conditions, and any other special conditions attached to this Order. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, these conditions shall control.



Massachusetts Department of Environmental Protection
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Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

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B. Findings (cont.)

Denied because:

- b. ☐ the proposed work cannot be conditioned to meet the performance standards set forth in the wetland regulations. Therefore, work on this project may not go forward unless and until a new Notice of Intent is submitted which provides measures which are adequate to protect the interests of the Act, and a final Order of Conditions is issued. **A description of the performance standards which the proposed work cannot meet is attached to this Order.**
- c. ☐ the information submitted by the applicant is not sufficient to describe the site, the work, or the effect of the work on the interests identified in the Wetlands Protection Act. Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides sufficient information and includes measures which are adequate to protect the Act's interests, and a final Order of Conditions is issued. **A description of the specific information which is lacking and why it is necessary is attached to this Order as per 310 CMR 10.05(6)(c).**
3. ☐ Buffer Zone Impacts: Shortest distance between limit of project disturbance and the wetland resource area specified in 310 CMR 10.02(1)(a) a. linear feet

Inland Resource Area Impacts: Check all that apply below. (For Approvals Only)

Resource Area	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
4. <input checked="" type="checkbox"/> Bank	<u>4</u> a. linear feet	<u>4</u> b. linear feet	<u>4</u> c. linear feet	<u>4</u> d. linear feet
5. <input type="checkbox"/> Bordering Vegetated Wetland	<u> </u> a. square feet	<u> </u> b. square feet	<u> </u> c. square feet	<u> </u> d. square feet
6. <input checked="" type="checkbox"/> Land Under Waterbodies and Waterways	<u>92</u> a. square feet <u> </u> e. c/y dredged	<u>92</u> b. square feet <u> </u> f. c/y dredged	<u>92</u> c. square feet <u> </u>	<u>92</u> d. square feet <u> </u>
7. <input type="checkbox"/> Bordering Land Subject to Flooding	<u> </u> a. square feet	<u> </u> b. square feet	<u> </u> c. square feet	<u> </u> d. square feet
Cubic Feet Flood Storage	<u> </u> e. cubic feet	<u> </u> f. cubic feet	<u> </u> g. cubic feet	<u> </u> h. cubic feet
8. <input type="checkbox"/> Isolated Land Subject to Flooding	<u> </u> a. square feet	<u> </u> b. square feet		
Cubic Feet Flood Storage	<u> </u> c. cubic feet	<u> </u> d. cubic feet	<u> </u> e. cubic feet	<u> </u> f. cubic feet
9. <input type="checkbox"/> Riverfront Area	<u> </u> a. total sq. feet	<u> </u> b. total sq. feet		
Sq ft within 100 ft	<u> </u> c. square feet	<u> </u> d. square feet	<u> </u> e. square feet	<u> </u> f. square feet
Sq ft between 100-200 ft	<u> </u> g. square feet	<u> </u> h. square feet	<u> </u> i. square feet	<u> </u> j. square feet



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 5 – Order of Conditions

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

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B. Findings (cont.)

Coastal Resource Area Impacts: Check all that apply below. (For Approvals Only)

	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
10. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below			
11. <input type="checkbox"/> Land Under the Ocean	<u> </u> a. square feet	<u> </u> b. square feet		
	<u> </u> c. c/y dredged	<u> </u> d. c/y dredged		
12. <input type="checkbox"/> Barrier Beaches	Indicate size under Coastal Beaches and/or Coastal Dunes below			
13. <input type="checkbox"/> Coastal Beaches	<u> </u> a. square feet	<u> </u> b. square feet	<u> </u> c. nourishment	<u> </u> d. nourishment
14. <input type="checkbox"/> Coastal Dunes	<u> </u> a. square feet	<u> </u> b. square feet	<u> </u> c. nourishment	<u> </u> d. nourishment
15. <input type="checkbox"/> Coastal Banks	<u> </u> a. linear feet	<u> </u> b. linear feet		
16. <input type="checkbox"/> Rocky Intertidal Shores	<u> </u> a. square feet	<u> </u> b. square feet		
17. <input type="checkbox"/> Salt Marshes	<u> </u> a. square feet	<u> </u> b. square feet	<u> </u> c. square feet	<u> </u> d. square feet
18. <input type="checkbox"/> Land Under Salt Ponds	<u> </u> a. square feet	<u> </u> b. square feet		
	<u> </u> c. c/y dredged	<u> </u> d. c/y dredged		
19. <input type="checkbox"/> Land Containing Shellfish	<u> </u> a. square feet	<u> </u> b. square feet	<u> </u> c. square feet	<u> </u> d. square feet
20. <input type="checkbox"/> Fish Runs	Indicate size under Coastal Banks, Inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above			
	<u> </u> a. c/y dredged	<u> </u> b. c/y dredged		
21. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	<u> </u> a. square feet	<u> </u> b. square feet		



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B. Findings (cont.)

* #22. If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.5.c (BVW) or B.17.c (Salt Marsh) above, please enter the additional amount here.

22. ☐ Restoration/Enhancement *:

a. square feet of BVW

b. square feet of salt marsh

23. ☐ Stream Crossing(s):

a. number of new stream crossings

b. number of replacement stream crossings

C. General Conditions Under Massachusetts Wetlands Protection Act

The following conditions are only applicable to Approved projects.

1. Failure to comply with all conditions stated herein, and with all related statutes and other regulatory measures, shall be deemed cause to revoke or modify this Order.
2. The Order does not grant any property rights or any exclusive privileges; it does not authorize any injury to private property or invasion of private rights.
3. This Order does not relieve the permittee or any other person of the necessity of complying with all other applicable federal, state, or local statutes, ordinances, bylaws, or regulations.
4. The work authorized hereunder shall be completed within three years from the date of this Order unless either of the following apply:
 - a. the work is a maintenance dredging project as provided for in the Act; or
 - b. the time for completion has been extended to a specified date more than three years, but less than five years, from the date of issuance. If this Order is intended to be valid for more than three years, the extension date and the special circumstances warranting the extended time period are set forth as a special condition in this Order.
5. This Order may be extended by the issuing authority for one or more periods of up to three years each upon application to the issuing authority at least 30 days prior to the expiration date of the Order.
6. If this Order constitutes an Amended Order of Conditions, this Amended Order of Conditions does not extend the issuance date of the original Final Order of Conditions and the Order will expire on _____ unless extended in writing by the Department.
7. Any fill used in connection with this project shall be clean fill. Any fill shall contain no trash, refuse, rubbish, or debris, including but not limited to lumber, bricks, plaster, wire, lath, paper, cardboard, pipe, tires, ashes, refrigerators, motor vehicles, or parts of any of the foregoing.
8. This Order is not final until all administrative appeal periods from this Order have elapsed, or if such an appeal has been taken, until all proceedings before the Department have been completed.



Massachusetts Department of Environmental Protection
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WPA Form 5 – Order of Conditions

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C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)

9. No work shall be undertaken until the Order has become final and then has been recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land upon which the proposed work is to be done. In the case of the registered land, the Final Order shall also be noted on the Land Court Certificate of Title of the owner of the land upon which the proposed work is done. The recording information shall be submitted to the Conservation Commission on the form at the end of this Order, which form must be stamped by the Registry of Deeds, prior to the commencement of work.
10. A sign shall be displayed at the site not less than two square feet or more than three square feet in size bearing the words,

"Massachusetts Department of Environmental Protection" [or, "MassDEP"]
"File Number 91-242 "
11. Where the Department of Environmental Protection is requested to issue a Superseding Order, the Conservation Commission shall be a party to all agency proceedings and hearings before MassDEP.
12. Upon completion of the work described herein, the applicant shall submit a Request for Certificate of Compliance (WPA Form 8A) to the Conservation Commission.
13. The work shall conform to the plans and special conditions referenced in this order.
14. Any change to the plans identified in Condition #13 above shall require the applicant to inquire of the Conservation Commission in writing whether the change is significant enough to require the filing of a new Notice of Intent.
15. The Agent or members of the Conservation Commission and the Department of Environmental Protection shall have the right to enter and inspect the area subject to this Order at reasonable hours to evaluate compliance with the conditions stated in this Order, and may require the submittal of any data deemed necessary by the Conservation Commission or Department for that evaluation.
16. This Order of Conditions shall apply to any successor in interest or successor in control of the property subject to this Order and to any contractor or other person performing work conditioned by this Order.
17. Prior to the start of work, and if the project involves work adjacent to a Bordering Vegetated Wetland, the boundary of the wetland in the vicinity of the proposed work area shall be marked by wooden stakes or flagging. Once in place, the wetland boundary markers shall be maintained until a Certificate of Compliance has been issued by the Conservation Commission.



Massachusetts Department of Environmental Protection
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C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)

18. All sedimentation barriers shall be maintained in good repair until all disturbed areas have been fully stabilized with vegetation or other means. At no time shall sediments be deposited in a wetland or water body. During construction, the applicant or his/her designee shall inspect the erosion controls on a daily basis and shall remove accumulated sediments as needed. The applicant shall immediately control any erosion problems that occur at the site and shall also immediately notify the Conservation Commission, which reserves the right to require additional erosion and/or damage prevention controls it may deem necessary. Sedimentation barriers shall serve as the limit of work unless another limit of work line has been approved by this Order.

NOTICE OF STORMWATER CONTROL AND MAINTENANCE REQUIREMENTS

19. **The work associated with this Order (the “Project”) is (1) ☐ is not (2) ☒ subject to the Massachusetts Stormwater Standards. If the work is subject to the Stormwater Standards, then the project is subject to the following conditions:**

- a) All work, including site preparation, land disturbance, construction and redevelopment, shall be implemented in accordance with the construction period pollution prevention and erosion and sedimentation control plan and, if applicable, the Stormwater Pollution Prevention Plan required by the National Pollution Discharge Elimination System Construction General Permit as required by Stormwater Condition 8. Construction period erosion, sedimentation and pollution control measures and best management practices (BMPs) shall remain in place until the site is fully stabilized.
- b) No stormwater runoff may be discharged to the post-construction stormwater BMPs unless and until a Registered Professional Engineer provides a Certification that:
- i. all construction period BMPs have been removed or will be removed by a date certain specified in the Certification. For any construction period BMPs intended to be converted to post construction operation for stormwater attenuation, recharge, and/or treatment, the conversion is allowed by the MassDEP Stormwater Handbook BMP specifications and that the BMP has been properly cleaned or prepared for post construction operation, including removal of all construction period sediment trapped in inlet and outlet control structures;
 - ii. as-built final construction BMP plans are included, signed and stamped by a Registered Professional Engineer, certifying the site is fully stabilized;
 - iii. any illicit discharges to the stormwater management system have been removed, as per the requirements of Stormwater Standard 10;
 - iv. all post-construction stormwater BMPs are installed in accordance with the plans (including all planting plans) approved by the issuing authority, and have been inspected to ensure that they are not damaged and that they are in proper working condition;
 - v. any vegetation associated with post-construction BMPs is suitably established to withstand erosion.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 5 – Order of Conditions

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

91-242

MassDEP File #

eDEP Transaction #

Arlington

City/Town

C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)

- c) The landowner is responsible for BMP maintenance until the issuing authority is notified that another party has legally assumed responsibility for BMP maintenance. Prior to requesting a Certificate of Compliance, or Partial Certificate of Compliance, the responsible party (defined in General Condition 18(e)) shall execute and submit to the issuing authority an Operation and Maintenance Compliance Statement ("O&M Statement") for the Stormwater BMPs identifying the party responsible for implementing the stormwater BMP Operation and Maintenance Plan ("O&M Plan") and certifying the following: *i.*) the O&M Plan is complete and will be implemented upon receipt of the Certificate of Compliance, and *ii.*) the future responsible parties shall be notified in writing of their ongoing legal responsibility to operate and maintain the stormwater management BMPs and implement the Stormwater Pollution Prevention Plan.
- d) Post-construction pollution prevention and source control shall be implemented in accordance with the long-term pollution prevention plan section of the approved Stormwater Report and, if applicable, the Stormwater Pollution Prevention Plan required by the National Pollution Discharge Elimination System Multi-Sector General Permit.
- e) Unless and until another party accepts responsibility, the landowner, or owner of any drainage easement, assumes responsibility for maintaining each BMP. To overcome this presumption, the landowner of the property must submit to the issuing authority a legally binding agreement of record, acceptable to the issuing authority, evidencing that another entity has accepted responsibility for maintaining the BMP, and that the proposed responsible party shall be treated as a permittee for purposes of implementing the requirements of Conditions 18(f) through 18(k) with respect to that BMP. Any failure of the proposed responsible party to implement the requirements of Conditions 18(f) through 18(k) with respect to that BMP shall be a violation of the Order of Conditions or Certificate of Compliance. In the case of stormwater BMPs that are serving more than one lot, the legally binding agreement shall also identify the lots that will be serviced by the stormwater BMPs. A plan and easement deed that grants the responsible party access to perform the required operation and maintenance must be submitted along with the legally binding agreement.
- f) The responsible party shall operate and maintain all stormwater BMPs in accordance with the design plans, the O&M Plan, and the requirements of the Massachusetts Stormwater Handbook.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 5 – Order of Conditions

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

91-242

MassDEP File #

eDEP Transaction #

Arlington

City/Town

C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)

- g) The responsible party shall:
1. Maintain an operation and maintenance log for the last three (3) consecutive calendar years of inspections, repairs, maintenance and/or replacement of the stormwater management system or any part thereof, and disposal (for disposal the log shall indicate the type of material and the disposal location);
 2. Make the maintenance log available to MassDEP and the Conservation Commission ("Commission") upon request; and
 3. Allow members and agents of the MassDEP and the Commission to enter and inspect the site to evaluate and ensure that the responsible party is in compliance with the requirements for each BMP established in the O&M Plan approved by the issuing authority.
- h) All sediment or other contaminants removed from stormwater BMPs shall be disposed of in accordance with all applicable federal, state, and local laws and regulations.
- i) Illicit discharges to the stormwater management system as defined in 310 CMR 10.04 are prohibited.
- j) The stormwater management system approved in the Order of Conditions shall not be changed without the prior written approval of the issuing authority.
- k) Areas designated as qualifying pervious areas for the purpose of the Low Impact Site Design Credit (as defined in the MassDEP Stormwater Handbook, Volume 3, Chapter 1, Low Impact Development Site Design Credits) shall not be altered without the prior written approval of the issuing authority.
- l) Access for maintenance, repair, and/or replacement of BMPs shall not be withheld. Any fencing constructed around stormwater BMPs shall include access gates and shall be at least six inches above grade to allow for wildlife passage.

Special Conditions (if you need more space for additional conditions, please attach a text document):

See attached one (1) page, conditions 20-23.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 5 – Order of Conditions

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

91-242

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eDEP Transaction #

Arlington

City/Town

D. Findings Under Municipal Wetlands Bylaw or Ordinance

1. Is a municipal wetlands bylaw or ordinance applicable? ☒ Yes ☐ No
2. The Arlington hereby finds (check one that applies):
Conservation Commission

- a. ☐ that the proposed work cannot be conditioned to meet the standards set forth in a municipal ordinance or bylaw, specifically:

1. Municipal Ordinance or Bylaw

2. Citation

Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides measures which are adequate to meet these standards, and a final Order of Conditions is issued.

- b. ☒ that the following additional conditions are necessary to comply with a municipal ordinance or bylaw:

Arlington Bylaw for Wetlands Protection

Title V, Art 8

1. Municipal Ordinance or Bylaw

2. Citation

3. The Commission orders that all work shall be performed in accordance with the following conditions and with the Notice of Intent referenced above. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, the conditions shall control.

The special conditions relating to municipal ordinance or bylaw are as follows (if you need more space for additional conditions, attach a text document):

See attached one (1) page, conditions 20-23.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 5 – Order of Conditions
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
91-242
MassDEP File #

eDEP Transaction #
Arlington
City/Town

E. Signatures

This Order is valid for three years, unless otherwise specified as a special condition pursuant to General Conditions #4, from the date of issuance.

1. Date of Issuance

Please indicate the number of members who will sign this form.

This Order must be signed by a majority of the Conservation Commission.

2. Number of Signers

The Order must be mailed by certified mail (return receipt requested) or hand delivered to the applicant. A copy also must be mailed or hand delivered at the same time to the appropriate Department of Environmental Protection Regional Office, if not filing electronically, and the property owner, if different from applicant.

Signatures:

_____	_____
_____	_____
_____	_____

☐ by hand delivery on

☐ by certified mail, return receipt requested, on

_____ Date

_____ Date

F. Appeals

The applicant, the owner, any person aggrieved by this Order, any owner of land abutting the land subject to this Order, or any ten residents of the city or town in which such land is located, are hereby notified of their right to request the appropriate MassDEP Regional Office to issue a Superseding Order of Conditions. The request must be made by certified mail or hand delivery to the Department, with the appropriate filing fee and a completed Request of Departmental Action Fee Transmittal Form, as provided in 310 CMR 10.03(7) within ten business days from the date of issuance of this Order. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and to the applicant, if he/she is not the appellant.

Any appellants seeking to appeal the Department's Superseding Order associated with this appeal will be required to demonstrate prior participation in the review of this project. Previous participation in the permit proceeding means the submission of written information to the Conservation Commission prior to the close of the public hearing, requesting a Superseding Order, or providing written information to the Department prior to issuance of a Superseding Order.

The request shall state clearly and concisely the objections to the Order which is being appealed and how the Order does not contribute to the protection of the interests identified in the Massachusetts Wetlands Protection Act (M.G.L. c. 131, § 40), and is inconsistent with the wetlands regulations (310 CMR 10.00). To the extent that the Order is based on a municipal ordinance or bylaw, and not on the Massachusetts Wetlands Protection Act or regulations, the Department has no appellate jurisdiction.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 5 – Order of Conditions
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
91-242
MassDEP File #

eDEP Transaction #
Arlington
City/Town

G. Recording Information

Prior to commencement of work, this Order of Conditions must be recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land subject to the Order. In the case of registered land, this Order shall also be noted on the Land Court Certificate of Title of the owner of the land subject to the Order of Conditions. The recording information on this page shall be submitted to the Conservation Commission listed below.

Arlington Conservation Commission, 730 Massachusetts Ave, Arlington, MA 02476
Conservation Commission

Detach on dotted line, have stamped by the Registry of Deeds and submit to the Conservation Commission.

To:

Arlington
Conservation Commission

Please be advised that the Order of Conditions for the Project at:

10 Devereaux St
Project Location

91-242
MassDEP File Number

Has been recorded at the Registry of Deeds of:

County

Book

Page

for: Property Owner

and has been noted in the chain of title of the affected property in:

Book

Page

In accordance with the Order of Conditions issued on:

Date

If recorded land, the instrument number identifying this transaction is:

Instrument Number

If registered land, the document number identifying this transaction is:

Document Number

Signature of Applicant

ARLINGTON CONSERVATION COMMISSION

ORDER OF CONDITIONS – 10 DEVEREAUX, DOCK

DEP FILE NO. 91-242

Referenced Plans

1. Abbreviated Notice of Intent for 10 Devereaux St, prepared by and for Stephen Ricci, 10 Devereaux, 10 Devereaux St., Arlington, MA 02476, dated June 3, 2012.

Findings

1. The small aluminum dock with pole moorings and pad feet shall have a minimal impact on the 92 square feet of Land Under Water, due to shading. The board finds that this minor impact is offset by the mitigation of reduced foot traffic on the pond sediments while entering and exiting small boats that occurred without the dock.
2. The 4 feet wide access ramp across the Bank is located at an open section of the steep rocky embankment so no removal of vegetation is necessary.

Additional Special and/or Bylaw Conditions

20. No maintenance of boats or dock (painting, cleaning with solvents, changing oil, etc) or fueling activities are allowed within the water or the Buffer Zone (within 100 feet of the shore) to Spy Pond.
21. The Conservation Commission, its employees and its agents (with proper notification of property owner) shall have the right of entry onto the site to inspect for compliance with the terms of this Order of Conditions.
22. Upon receipt of the Chapter 91 License from the Commonwealth, a copy of this shall be mailed to the Arlington Conservation Commission.
23. When requesting a Certificate of Compliance for this Order of Conditions, the applicant must submit a written statement that the completed work complies with the plans referenced in this Order, or a plan and statement describing any differences.



Town of Arlington, Massachusetts

Unpermitted Vegetation Removal Near Brookside Condos.

Summary:

Unpermitted Vegetation Removal Near Brookside Condos.

ATTACHMENTS:

	Type	File Name	Description
▢	Reference Material	Memorandum_Brookside_Condos.pdf	Brookside Condos Memo from Ryan Clapp

MEMORANDUM

Date: October 9, 2023
To: Arlington Conservation Commission, c/o David Morgan
From: Ryan Clapp
Re: Site Observations: Arizona Terrace

On Friday, October 6, 2023, I performed a site visit along the rear of Arizona Terrace, walking along the Alewife Greenway Bike Path down to Michael Street. The following observations were made:

- Large piles of brush were stored along the river behind Brookside Condominiums. No apparent source for the brush was located (stumps, holes, etc.).
- Several plantings were installed at regular intervals in this area. Among those planted were Eastern Red Cedar (*Juniperus virginiana*) and a plant identified as Washington Heather.
- Near Fremont Street, the culvert is damaged, with a portion of the pipe broken off and submerged in the river.
- Between Memorial Way and Michael Street, fresh cuts of Japanese knotweed were observed, as the stems were wet and green. These cuts were not extensive, nor were they thorough; only about 1 foot into the several foot swath of knotweed was cut, several feet above the ground. As Japanese knotweed reproduces by fragmentation, this is ineffective at managing this invasive plant, and may result in an increase in knotweed onsite. There did not appear to be a pattern to where the knotweed was cut, appearing to be at random intervals.



Town of Arlington, Massachusetts

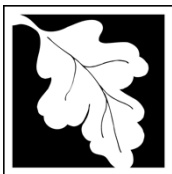
Enforcement Order: 66R Dudley Street.

Summary:

Enforcement Order: 66R Dudley Street.

ATTACHMENTS:

	Type	File Name	Description
▢	Reference Material	66R_Dudley_Street_Enforcement_Order_10122003.pdf	66R Dudley Street Enforcement Order
▢	Reference Material	20231012_155741.jpg	66R Dudley Street Photo of Activity



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 9 – Enforcement Order
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

DEP File Number: _____

A. Violation Information

Important:

When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



This Enforcement Order is issued by:

Arlington

Conservation Commission (Issuing Authority)

10/12/2023

Date

To:

Robert Castelluccio and Salvatore Lorusso, S & R Realty Trust

Name of Violator

66-66R Dudley Street

Address

1. Location of Violation:

Property Owner (if different)

66-66R Dudley Street

Street Address

Arlington

City/Town

55-2

Assessors Map/Plat Number

02476

Zip Code

30A

Parcel/Lot Number

2. Extent and Type of Activity (if more space is required, please attach a separate sheet):

Unpermitted excavation, grading, and construction

B. Findings

The Issuing Authority has determined that the activity described above is in a resource area and/or buffer zone and is in violation of the Wetlands Protection Act (M.G.L. c. 131, § 40) and its Regulations (310 CMR 10.00), because:

- ☒ the activity has been/is being conducted in an area subject to protection under c. 131, § 40 or the buffer zone without approval from the issuing authority (i.e., a valid Order of Conditions or Negative Determination).



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 9 – Enforcement Order
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

DEP File Number: _____

B. Findings (cont.)

☐ the activity has been/is being conducted in an area subject to protection under c. 131, § 40 or the buffer zone in violation of an issuing authority approval (i.e., valid Order of Conditions or Negative Determination of Applicability) issued to:

Name

Dated

File Number

Condition number(s)

☐ The Order of Conditions expired on (date):

Date

☐ The activity violates provisions of the Certificate of Compliance.

☐ The activity is outside the areas subject to protection under MGL c.131 s.40 and the buffer zone, but has altered an area subject to MGL c.131 s.40.

☐ Other (specify):

C. Order

The issuing authority hereby orders the following (check all that apply):

☒ The property owner, his agents, permittees, and all others shall immediately cease and desist from any activity affecting the Buffer Zone and/or resource areas.

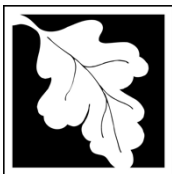
☐ Resource area alterations resulting from said activity shall be corrected and the resource areas returned to their original condition.

☐ A restoration plan shall be filed with the issuing authority on or before

Date

for the following:

The restoration shall be completed in accordance with the conditions and timetable established by the issuing authority.
--



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 9 – Enforcement Order
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

DEP File Number: _____

C. Order (cont.)

- ☐ Complete the attached Notice of Intent (NOI). The NOI shall be filed with the Issuing Authority on or before:

Date

for the following:

No further work shall be performed until a public hearing has been held and an Order of Conditions has been issued to regulate said work.

- ☒ The property owner shall take the following action (e.g., erosion/sedimentation controls) to prevent further violations of the Act:

Attend the 11/2/2023 7:00 PM meeting of the Arlington Conservation Commission, establish erosion controls of a biodegradable 12" mulch sock at the limit of work

Failure to comply with this Order may constitute grounds for additional legal action. Massachusetts General Laws Chapter 131, Section 40 provides: "Whoever violates any provision of this section (a) shall be punished by a fine of not more than twenty-five thousand dollars or by imprisonment for not more than two years, or both, such fine and imprisonment; or (b) shall be subject to a civil penalty not to exceed twenty-five thousand dollars for each violation". Each day or portion thereof of continuing violation shall constitute a separate offense.

D. Appeals/Signatures

An Enforcement Order issued by a Conservation Commission cannot be appealed to the Department of Environmental Protection, but may be filed in Superior Court.

Questions regarding this Enforcement Order should be directed to:

Name

Phone Number

Hours/Days Available

Issued by:

Conservation Commission

Conservation Commission signatures required on following page.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 9 – Enforcement Order
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

DEP File Number: _____

D. Appeals/Signatures (cont.)

In a situation regarding immediate action, an Enforcement Order may be signed by a single member or agent of the Commission and ratified by majority of the members at the next scheduled meeting of the Commission.

Signatures:

Signature

Printed Name

Signature

Printed Name

Signature

Printed Name

Signature

Printed Name

Signature

Printed Name

Signature

Printed Name

Signature

Printed Name

Signature

Printed Name

Signature of delivery person or certified mail number



Town of Arlington, Massachusetts

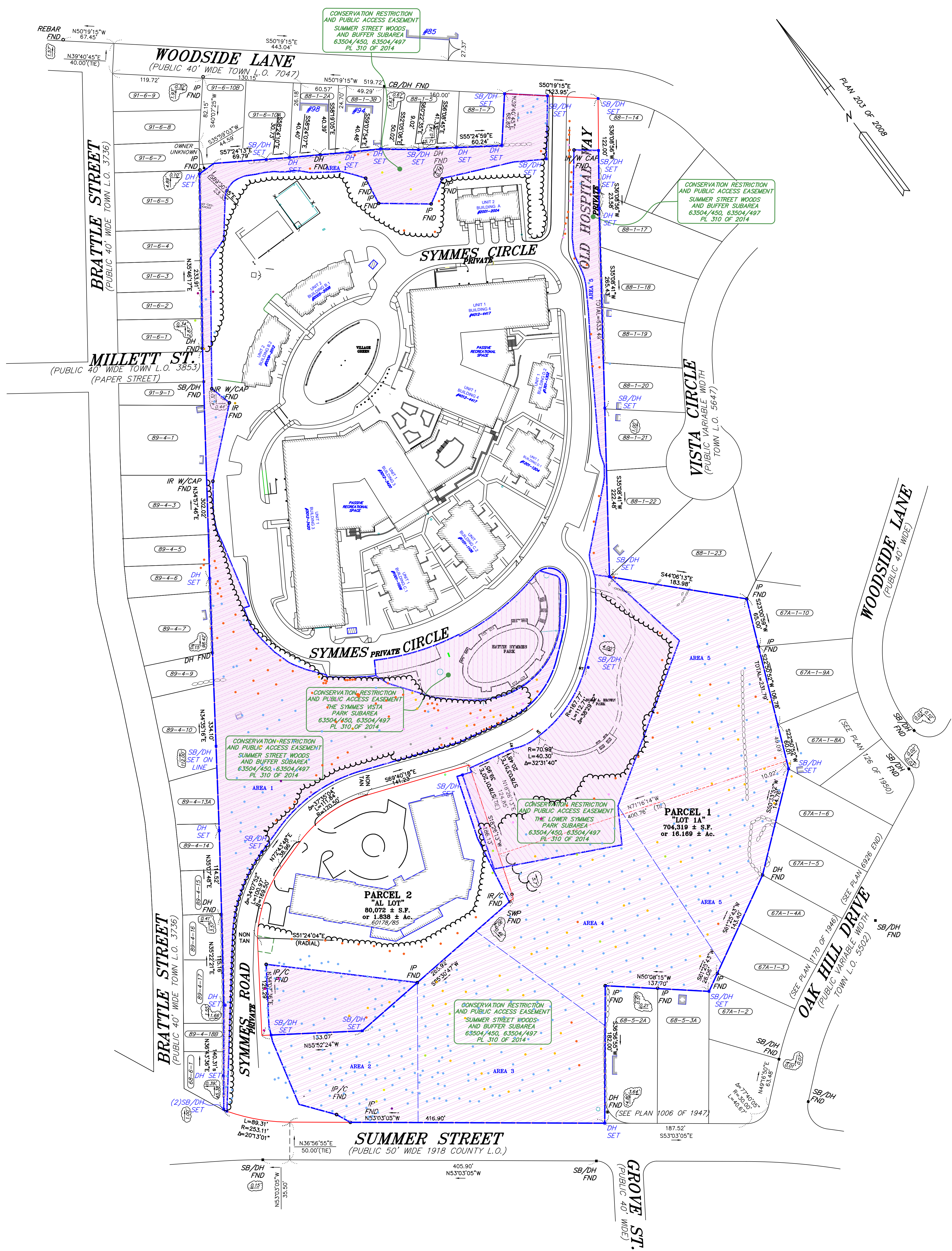
Symmes Conservation Restriction.

Summary:

Symmes Conservation Restriction.

ATTACHMENTS:

	Type	File Name	Description
▢	Reference Material	DRAFT_SURVEY_PLAN_-A-360- _CONSERVATION_RESTRICTION_PLAN_10.05.23.pdf	Symmes Conservation Restriction Survey Plan



ABUTTERS

Map-Block-Lot	Owner Now/Formerly	Book-Page
091.0-0006-0010.A	Forest Martin & Naomi Muller	L.C. 1476-49
088.0-0001-0002.A	Thomas and Daniela Bodine	L.C. 1572-14
088.0-0001-0003.B	Barry Michele A	L.C. 1222-106
088.0-0001-0005.0	Lisa Lazarczyk	L.C. 1505-89
088.0-0001-0007.0	Whitfield John E Jr	L.C. 1131-46
088.0-0001-0014.0	68 Woodside Lane LLC	65383-183
088.0-0001-0017.0	Norberg Carl D	41548-536
088.0-0001-0018.0	Julia D Gialto Life Estate	63575-484
088.0-0001-0019.0	Cunha John A	29559-409
088.0-0001-0020.0	Agostino James J & Rosetta	57310-127
088.0-0001-0021.0	Mc Dermott John D	27027-301
088.0-0001-0022.0	Reichenbach Bodo A & Ingeba	28314-421
088.0-0001-0023.0	Michael Healey & Julie Ayotte	56188-144
068.0-0005-0002.A	Suelene & David Chu George	76518-361
068.0-0005-0003.A	Zoeller Karen F & Ralph A JR	40656-419
068.0-0006-0001.0	Morrison-Paglucia Gina	33236-107
089.0-0004-0018.B	Morrison Paul R	33236-107
089.0-0004-0017.0	Macdonald Ronald F	34079-217
089.0-0004-0016.0	Macdonald Ronald F	34079-217
089.0-0004-0015.0	Driscoll Susan L	49847-98
089.0-0004-0014.0	Petzel Kathryn et al	74603-477
089.0-0004-0013.A	Ford Polly & Aaron	62205-114
089.0-0004-0010.0	Isoma Nawang	80254-296
089.0-0004-0009.0	Vasic Aleksandar & Jelena	73671-349
089.0-0004-0008.0	Copthorne Arthur W	29626-409
089.0-0004-0007.0	Byrd Matthew & Mary Katherine	74331-201
089.0-0004-0005.0	Baghdadi Reza	79044-472
089.0-0004-0003.0	Maltby Laura L	78914-412
089.0-0004-0001.0	Jurgensen Peter & Mariza	24854-74
091.0-0009-0001.0	Lusk Sarah L/Trustee	70776-54
091.0-0008-0001.0	Doherty Donald J Jr	19682-481
091.0-0008-0002.0	Doherty Donald J Jr	19682-481
091.0-0008-0001.0	Flesch William	42298-42
091.0-0008-0004.0	Dalton Joseph W/Cara N	39607-393
091.0-0008-0005.0	Fitzpatrick Joseph M	49968-166
091.0-0008-0007.0	Moldovan Richard J & Itana Andrea	66204-335
091.0-0008-0008.0	Moldovan Richard J & Itana Andrea	66204-335
091.0-0008-0009.0	Clampa Marco A/Glenda L	L.C. 1265-15
091.0-0006-0010.A	Forest Martin & Muller Naomi	1476-49
091.0-0006-0010.B	Libby Timothy S & DIPAOLO Lisa	1422-47
067.A-0001-0010.0	Wilson Timothy D--etal	73478-114
067.A-0001-0009.A	Schiffer Lauren, Asmussen Erik	74015-125
067.A-0001-0008.A	Miller Stephan--etal	54545-435
067.A-0001-0007.A	Fichera Gaetano J & Shelly A	51454-388
067.A-0001-0006.0	Delbanco Thomas/Jill	31847-96
067.A-0001-0005.0	Ranere Gerard A & Lois D	14636-555
067.A-0001-0004.A	Brown James S & Phyllis M	79814-574
067.A-0001-0003.0	Yudowski Guillermo & Gleiser Julieta	69829-259
067.A-0001-0002.0	Warrington David R--etal	23925-73

TREE LEGEND

COMMON NAME-SEE NOTE 4
● BLACK LOCUST
● BLACK LOCUST
● BLACK LOCUST
● KNOTTWEED
● NORWAY MAPLE
● POISON IVY
● TREE OF HEAVEN
● WILD ROSE
● BLACK CHERRY/OTHER
● BLACK OAK/OTHER
● RED OAK/OTHER
● SHAGBARK HICKORY/OTHER
● WHITE OAK/OTHER

LEGEND

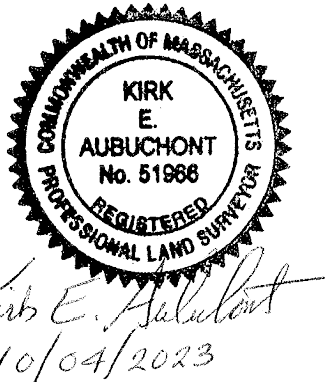
OVERHEAD WIRE	OVERHEAD WIRE
LIGHT POLE	LIGHT POLE
UTILITY POLE	UTILITY POLE
GUY WIRE	GUY WIRE
OVERHEAD WIRE	OVERHEAD WIRE
LIGHT POLE	LIGHT POLE
UTILITY POLE	UTILITY POLE
GUY WIRE	GUY WIRE
SIGN	SIGN
BOLLARD	BOLLARD
POST	POST
HAND HOLE	HAND HOLE
TOWN OF ARLINGTON-HAND HOLE	TOWN OF ARLINGTON-HAND HOLE
MASS HIGHWAY HAND HOLE	MASS HIGHWAY HAND HOLE
CHAIN LINK FENCE	CHAIN LINK FENCE
WOOD FENCE	WOOD FENCE
GUARDRAIL/GUIDERAIL	GUARDRAIL/GUIDERAIL
CONCRETE CURB	CONCRETE CURB
GRANITE CURB	GRANITE CURB
BITUMINOUS CONCRETE BERM	BITUMINOUS CONCRETE BERM
PROPERTY BOUNDARY LINE	PROPERTY BOUNDARY LINE
STONE WALL	STONE WALL
TREE	TREE
TREE (See Note 4)	TREE (See Note 4)
TREE LINE	TREE LINE
CONSERVATION RESTRICTION	CONSERVATION RESTRICTION
BUILDING	BUILDING
BITUMINOUS CONCRETE	BITUMINOUS CONCRETE
CONCRETE	CONCRETE
ELECTRIC METER	ELECTRIC METER
EDGE OF PAVEMENT	EDGE OF PAVEMENT
HANDICAP RAMP	HANDICAP RAMP
HEAD WALL	HEAD WALL
ELECTRIC TRANSFORMER	ELECTRIC TRANSFORMER
TRAFFIC SIGNAL	TRAFFIC SIGNAL
STONE BOUND	STONE BOUND
STONE BOUND-2023	STONE BOUND-2023
STONE WITNESS POST (NOTE 5)	STONE WITNESS POST (NOTE 5)
DRILL HOLE	DRILL HOLE
IRON PIN/IRON PIPE	IRON PIN/IRON PIPE
IRON PIN/IRON PIPE-2023	IRON PIN/IRON PIPE-2023
FOUND	FOUND
ASSESSOR'S MAP, BLOCK AND LOT NUMBERS	ASSESSOR'S MAP, BLOCK AND LOT NUMBERS

NOTES

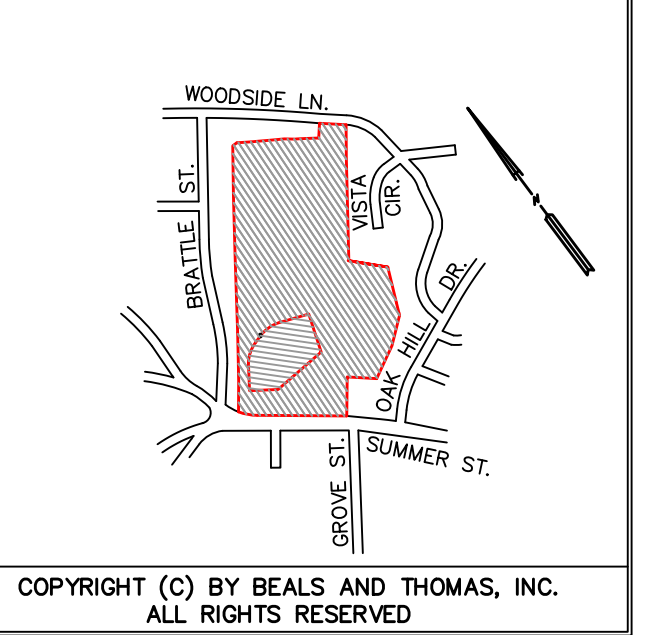
- UNDERGROUND AND SURFACE UTILITIES ARE NOT SHOWN. BEFORE CONSTRUCTION CALL "DIG SAFE" 1-888-344-7233.
- THIS PLAN IS WAS PREPARED FROM AN ACTUAL SURVEY MADE ON THE GROUND USING A ZEISS ELTA TOTAL STATION AND TRIMBLE S6 TOTAL STATION BETWEEN APRIL 28, 2011 AND SEPTEMBER 12, 2023.
- PROPERTY LINE SOLUTION REFERENCES A PLAN ENTITLED "PLAN OF LAND, SYMMES HOSPITAL ARLINGTON, MASSACHUSETTS..." DATED JANUARY 29, 2008, LAST REVISED MARCH 29, 2008 AND PREPARED BY BEALS AND THOMAS, INC.
- COLORS TREES DEPICTED IN AREAS 1-5 ARE REFERENCED IN THE "FOREST RESTORATION AND INVASIVE SPECIES MITIGATION MANAGEMENT PLAN, SUMMER STREET WOODS CRY/ARLINGTON 360" PREPARED BY PLANT HEALTHCARE CONSULTANTS, INC., 134 ALLEN STREET, BRAintree, MA 02184. TREE LOCATIONS WERE PROVIDED AS ELECTRONIC .SHP FILES ON SEPTEMBER 29, 2023.
- THE SITE CONTAINS STONE MARKERS THAT WERE PREVIOUSLY SET TO DESIGNATE THE PROXIMITY OF THE CONSERVATION RESTRICTIONS. ONLY A FEW HAVE BEEN LOCATED AND SHOWN ON THIS PLAN.
- EASEMENTS OF RECORD ARE NOT SHOWN.
- MONUMENT SUMMARY:
26 EXTERIOR MONUMENTS SET AND 15 RECOVERED: 41
6 INTERIOR MONUMENTS SET AND 12 RECOVERED: 18
TOTAL PERIMETER/INTERIOR CONSERVATION RESTRICTION MONUMENTS: 59

PREPARED FOR:
FHF I ARLINGTON
360, LLC
C/O TA REALTY
28 STATE STREET
10TH FLOOR
BOSTON, MA 02109
C/O GREYSTAR
ONE FEDERAL STREET
SUITE 1804
BOSTON, MA 02110

RECORD OWNER:
FHF I ARLINGTON
360 LLC
DEED BOOK 65951 PAGE 297
ASSESSORS PARCEL
88-1-13
BRIGHTVIEW
ARLINGTON LLC
DEED BOOK 60178 PAGE 85
ASSESSORS PARCEL
88-1-13A



5			
4			
3			
2			
1			
0	10/04/2023	INITIAL ISSUE	
	ISSUE DATE	DESCRIPTION	
SAS	KEA	SJC	KEA
FLD	CALC	DWN	CHK'D



CONSERVATION
RESTRICTION PLAN
(OVERALL BOUNDARY)
ARLINGTON 360
4105 SYMMES CIRCLE
ARLINGTON, MA
(MIDDLESEX COUNTY)

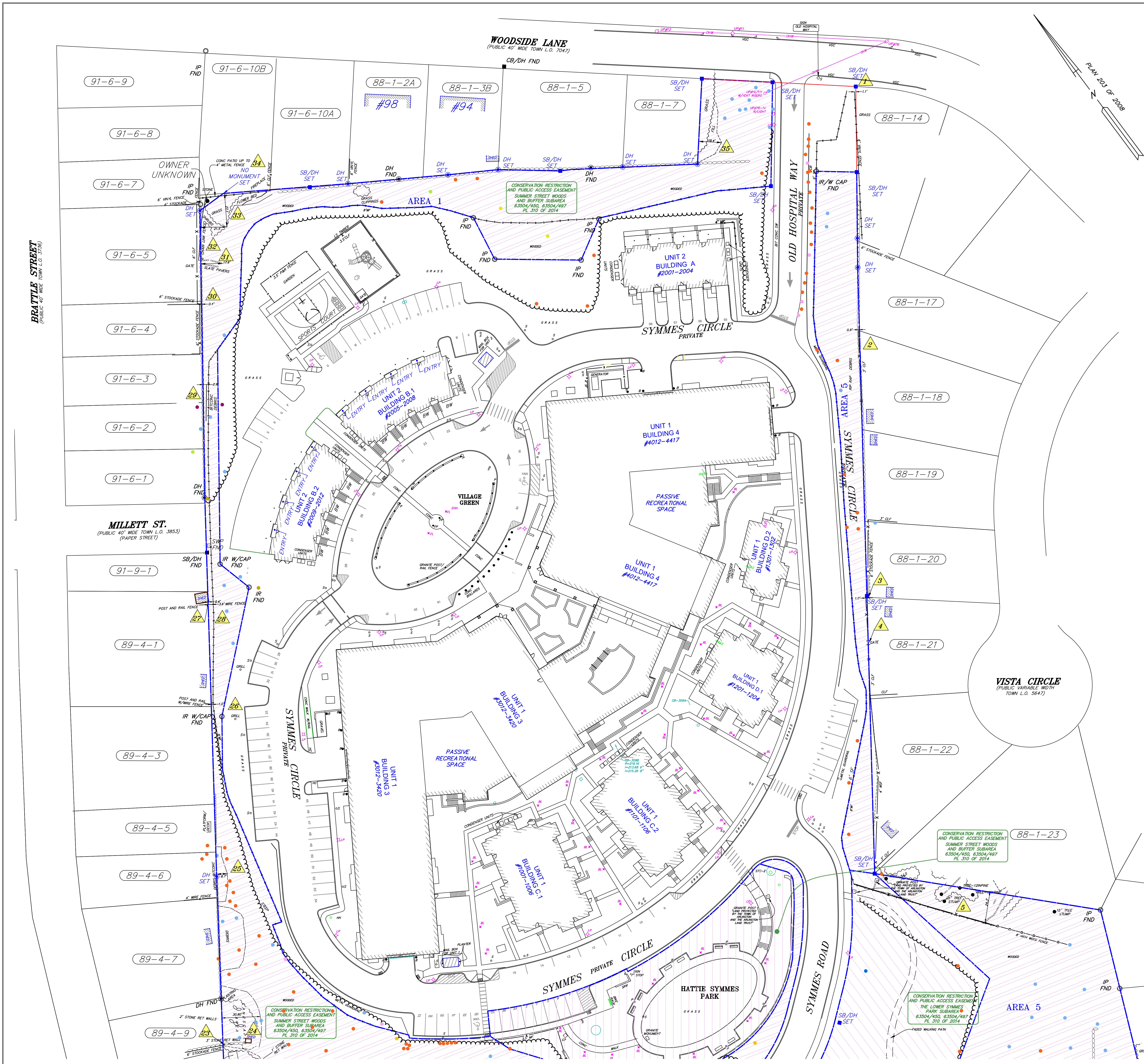
PREPARED BY:
BEALS AND THOMAS
BEALS AND THOMAS, INC.
144 Turnpike Road, Suite 210
Southborough, Massachusetts 01772-2104
T 508.366.0560 | www.bealsandthomas.com

DATE: OCTOBER 4, 2023
SCALE: 1"=60'
BTI JOB NO. 2028.27

BTI PLAN NO.
202827P135A-001
SHEET 1 OF 3

CR-1

NOTES:
SEE SHEETS 2 AND 3 FOR DETAIL.



OBSERVATIONS

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PARCEL 1
"LOT 1A"
704,319 ± S.F.
or 16.169 ± Ac.

A360 PRIMARY CONDOMINIUM
63361/49, 63361/93
63361/138, 63909/260
A360 TOWNHOMES CONDOMINIUM
63361/144, 63361/180
63361/224, 63889/131

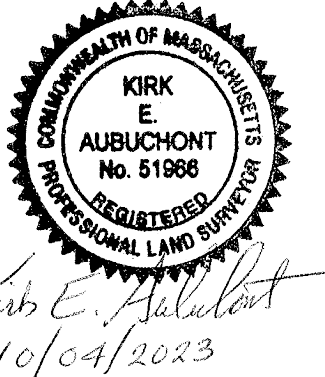
TREE LEGEND

- COMMON NAME-SEE NOTE 4
- BLACK LOCUST
 - BOXELDER
 - BLACK LOCUST
 - KNOTTWEED
 - NORWAY MAPLE
 - POISON IVY
 - TREE OF HEAVEN
 - WILD ROSE
 - BLACK CHERRY/OTHER
 - BLACK OAK/OTHER
 - RED OAK/OTHER
 - SHAGBARK HICKORY/OTHER
 - WHITE OAK/OTHER

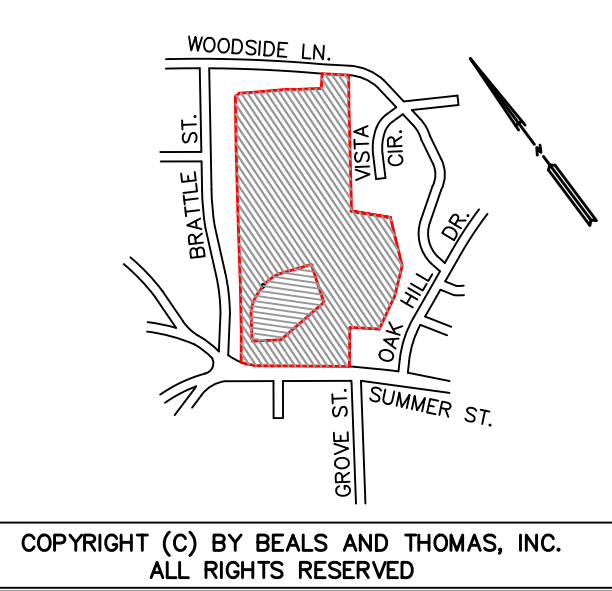
NOTES:
SEE SHEET 1 FOR PROPERTY LINE DIMENSIONS,
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PREPARED FOR:
FHF 1 ARLINGTON
360, LLC
C/O TA REALTY
28 STATE STREET
10TH FLOOR
BOSTON, MA 02109
C/O GREYSTAR
ONE FEDERAL STREET
SUITE 1804
BOSTON, MA 02110

RECORD OWNER:
FHF 1 ARLINGTON
360 LLC
DEED BOOK 65951 PAGE 297
ASSESSORS PARCEL
88-1-13
BRIGHTVIEW
ARLINGTON LLC
DEED BOOK 60178 PAGE 85
ASSESSORS PARCEL
88-1-13A



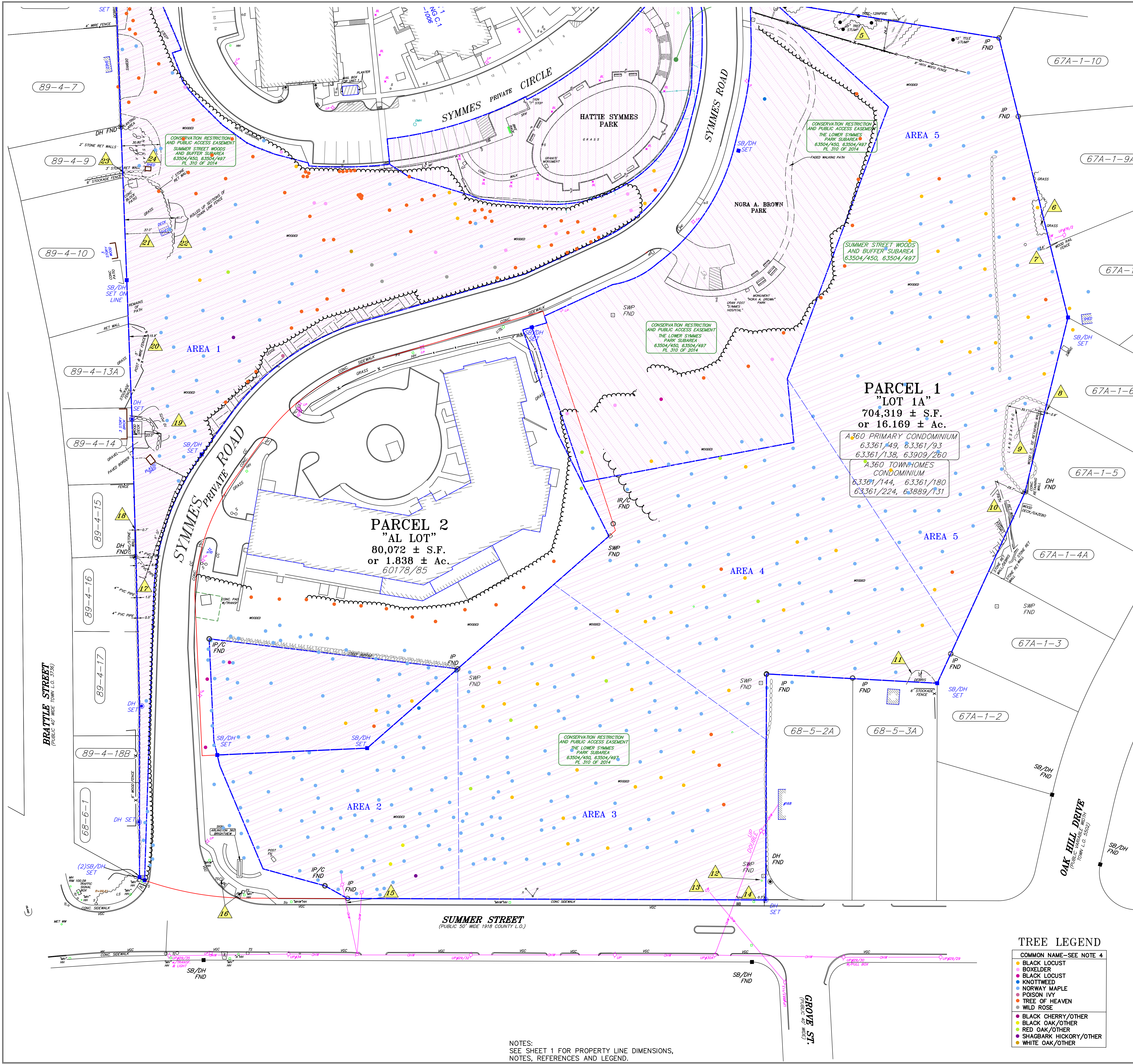
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	ISSUE DATE	DESCRIPTION	
SAS	KEA	SJC	KEA
FLD	CALC	DWN	CHK'D



**CONSERVATION
RESTRICTION PLAN
(DETAIL - NORTH)**
ARLINGTON 360
4105 SYMMES CIRCLE
ARLINGTON, MA
(MIDDLESEX COUNTY)

PREPARED BY:
**BEALS AND
THOMAS**
BEALS AND THOMAS, INC.
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SHEET 2 OF 3
CR-2



OBSERVATIONS

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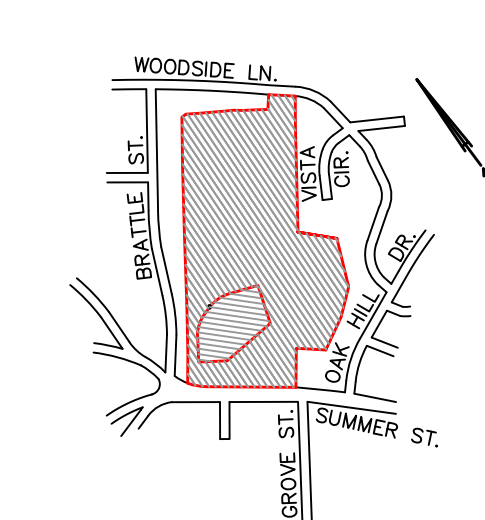
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RECORD OWNER:
FHF 1 ARLINGTON
360 LLC
DEED BOOK 65951 PAGE 297
ASSESSORS PARCEL
88-1-13
BRIGHTVIEW
ARLINGTON LLC
DEED BOOK 60178 PAGE 85
ASSESSORS PARCEL
88-1-13A



5			
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1			
0	10/04/2023	INITIAL ISSUE	
	ISSUE DATE	DESCRIPTION	
SAS	KEA	SJC	KEA
FLD	CALC	DWN	CHK'D



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**CONSERVATION
RESTRICTION PLAN
(DETAIL - SOUTH)**
ARLINGTON 360
4105 SYMMES CIRCLE
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(MIDDLESEX COUNTY)

PREPARED BY:
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SHEET 3 OF 3
CR-3



Town of Arlington, Massachusetts

Park & Recreation Commission Liaison.

Summary:

Park & Recreation Commission Liaison.

- Next meeting of the Park & Recreation Commission to be held on 10/24.



Town of Arlington, Massachusetts

Notice of Intent: Thorndike Place (Continuation from 09/21/23).

Summary:

Notice of Intent: Thorndike Place (Continuation from 09/21/23).

The Conservation Commission will hold a public hearing under the Wetlands Protection Act to consider a Notice of Intent for the construction of Thorndike Place, a multifamily development on Dorothy Road in Arlington. This hearing will concern the Conservation Commission's request for peer review of submitted materials.

ATTACHMENTS:

Type	File Name	Description
Reference Material	Memo_from_Stephanie_Kiefer_Concerning_Supplemental_Materials_for_Thorndike_Place_Hearing.pdf	Memo from Stephanie Kiefer Concerning Supplemental Materials for Thorndike Place Hearing

October 11, 2023

Via Email

Susan Chapnick, Chair
Arlington Conservation Commission
Robbins Memorial Town Hall
730 Massachusetts Avenue
Arlington, MA 02476

**RE: Thorndike Place, Arlington, MA
NOI Public Hearing**

Dear Chair Chapnick and Members of the Commission,

On behalf of the Applicant, Arlington Land Realty, LLC (“ALR”), I am enclosing information and materials responsive to those inquiries/matters raised during the Conservation Commission’s initial public hearing held on September 21, 2023. Items (1)-(5) were items requested through the Commission’s agent, David Morgan, at the public hearing; Item (6) responds to an additional request identified in Mr. Morgan’s email to Dom Rinaldi, BSC Group, dated October 5, 2023; and Item (7) is responsive to a verbal request by Commissioner Tirone during the September 21, 2023 public hearing.

- (1) Wetlands Delineation Forms – Attached at Tab 1 are the set of DEP Wetland Delineation Forms (5) prepared by the BSC Group. These are the same set of delineation forms submitted to the Zoning Board of Appeals (“ZBA”) together with the BSC Group’s correspondence to the ZBA dated October 22, 2020 and memorandum dated October 19, 2020, through which BSC detailed its field delineation. Contemporaneously, the Commission and its former agent, Emily Sullivan, were provided complete copies of BSC Group’s submittal. For your convenience, another copy of that submittal is provided at Tab 1.

As additional background, the ZBA’s peer reviewers at BETA Group reviewed and confirmed that the BVW line was field delineated in accordance with approved definition and methods as set forth in its letter to the ZBA on November 20, 2020. The BETA peer review states in relevant part “[d]uring the site visit BETA confirmed the wetland boundaries were field delineated in accordance with the definition and methods approved in the MA DEP Delineating Bordering Vegetated Wetlands Handbook (March 1995).” Likewise, within the December 8, 2020 memorandum prepared by the Commission and submitted to the ZBA titled “Comments Summarized from the Arlington Conservation Commission as Given by Susan Chapnick,” the Commission similarly confirmed the BVW delineation (“ACC understands that BETA Group has performed a review of BSC’s wetland boundary delineations and has agreed with the updated delineation.”).

- (2) Calculations of the Compensatory Flood Storage – the calculations are contained within Section 2.12 of BSC Group’s Stormwater Report, revised September 2023, submitted as Attachment E of the previously filed Notice of Intent application

materials. For the Commission's convenience, Section 2.12 of the Stormwater Report is provided at Tab 2.

- (3) Consideration of including the northwest corner of the site within the conservation restriction area – As indicated within the initial session of the public hearing, the Applicant will give consideration as to permanent protections with respect to the northwest corner of its property once the Applicant has a more complete opportunity to review voluntary measures that it may take without impacting the size of the development parcel or setbacks as relevant to its existing comprehensive permit. During the construction phase, as shown on Sheet C-101 of the submitted plan set, a portion of this area may be used during construction for temporary stockpile with a perimeter fence.
- (4) Number of trees to be removed – Please refer to the NOI Application, Attachment A (Project Narrative), at Table 3.2. Table 3.2 sets out the number and type of trees to be removed as well as the replacement number of trees. For the Commission's convenience, another copy of Table 3.2 is provided at Tab 3 to this correspondence.
- (5) Construction Schedule – In part, the specifics of a construction schedule protocol are typically worked out with the general contractor. At this time, the Project has not yet determined whom it will employ to serve that role. The Commission members may not be aware, however, that within the conditions of the Comprehensive Permit (a copy of which has been submitted previously as Attachment F to the NOI Application), the Zoning Board has already imposed conditions to ensure that the Town staff, the Developer's contractors and the community are informed of the sequencing of construction activities in advance of the issuance of building permit. For the Commission's reference, Condition D.2 details the contents of a comprehensive Construction Management Plan ("CMP") to include, *inter alia*, an outline of the primary construction task, the project schedule, logistics (e.g., stockpiles, traffic coordination), site management, public safety measures and coordination with the Town. The CMP will be submitted in advance of the preconstruction meeting with Town staff, as required under Condition D.1.
- (6) Soil Logs – Per David Morgan's email of October 5, 2023, the Engineering Division has requested that soil logs be added to the plan detail sheets. Such information (i.e., test pit depth, finished grade, bottom elevation, groundwater elevation, estimated seasonal high groundwater) previously were submitted to the Commission. Should the Commission typically request that plan sets subject to the Commission's review under the WPA include this information within a plan detail sheet, please advise and BSC will make such included detail sheet as may be consistent with the Commission's practice.
- (7) Investigations of possible vernal pools/date of field investigation – BSC Group's November 2020 Wildlife Habitat Study and Vegetation Evaluation Report was included as Attachment G of the submitted NOI application materials. Please refer to Attachment G of the NOI Application package for the full report. The date of the field investigations, October 27, 2020, is stated in Section I of the Report ("*This report presents the findings and analysis of a field investigation of the wildlife habitat and vegetation of the Thorndike Place project site conducted on October 27, 2020 by BSC Senior Ecologist Matt Burne, PWS.*") In the event the Commission members are

not familiar with Mr. Burne's credentials, Matt holds a Master of Science degree from the University of Massachusetts Amherst in Fisheries & Wildlife Conservation and previously was employed by the Massachusetts Natural Heritage & Endangered Species Program as a Vernal Pool Ecologist and Rare Species Environmental Review Biologist for almost ten years. Matt is the co-author of *A Field Guide to the Animals of Vernal Pools*, a publication sold by the Massachusetts Association of Conservation Commissions to its members. A copy of Matt Burne's CV is attached as Tab 4 for completeness of his credentials in this field.

Section 2 of the Wildlife Habitat Study and Vegetation Evaluation report details the methodology, inclusive of the pre-field analysis review and the field review undertaken by Mr. Burne. Further, kindly refer to Section 4.1.2 of the Wildlife Habitat Study and Vegetation Evaluation report which concludes in relevant part, "[t]here are no depressions that appear to provide likely vernal pool habitat on the site."

We look forward to continuing the public hearing process on the NOI at the October 19, 2023 public hearing.

Sincerely,

/s/ *Stephanie A. Kiefer*

Stephanie A. Kiefer

Encl.

cc: David Morgan, Conservation Agent

TAB 1

Sent Via Email

October 22, 2020

Christian Klein, Chair
Arlington Zoning Board of Appeals
51 Grove Street
Arlington, MA 02476

RE: Thorndike Place
Wetland Delineation

Chairman Klein:

In response to comments provided by the Arlington Conservation Commission and BETA Group, BSC Group wetland scientists have conducted a site visit on October 15, 2020 to re-evaluate the wetland delineation initially completed in January 2020. With the initial delineation completed in winter conditions, a few wetland flags were adjusted based on growing season conditions. The following information is included as attachments to this letter:

- Wetland Delineation Memorandum dated October 19, 2020
- MassDEP Bordering Vegetated Wetland Delineation Field Data Forms (5)
- Existing Environmental Resources Plan revised October 22, 2020

This information is also being transmitted electronically to the Conservation Commission and BETA Group. We also want to extend our offer to walk the site with BETA Group when the review the delineation. Please me call at 781-710-7280 or email me at jhession@bscgroup.com if you have any questions or require additional information.

Very truly yours,

BSC Group, Inc.



John Hession, P.E.
Director of Land Development

cc: zba@town.arlington.ma.us
Richard Vallarelli, ZBA
Emily Sullivan, Conservation
Susan Chapnick, Conservation Commission
Jenny Raitt, Planning and Community Development
Marta Nover and Todd Undzis, BETA
Stephanie Kiefer, Smolak & Vaughan
Gwen Noyes and Arthur Klipfel, Arlington Land Realty

Engineers

Environmental
Scientists

Custom Software
Developers

Landscape
Architects

Planners

Surveyors

To:	John Hession, BSC Group, Inc.	Date:	October 19, 2020
From:	Gillian Davies and Susan McArthur, BSC Group, Inc.	Proj. No.	23407.00
Re:	Wetland Delineation, Thorndike Place, Arlington, MA		

INTRODUCTION

On January 15 and on October 15 2020, BSC Group, Inc. (BSC) conducted a field delineation of wetland resource areas regulated under the *Massachusetts Wetlands Protection Act (WPA)* and associated *regulations (310 CMR 10.00 et al)* and the *Town of Arlington Wetlands Protection Bylaw (Article 8) (Bylaw)* and associated *regulations (Sections 1 through 34)* dated June 4, 2015, at the Thorndike Place/Mugar Property located off of Dorothy and Parker Roads. This primarily forested property is located between Route 2, a single-family residential neighborhood, and a local park. Site topography is relatively flat. Trash piles and debris, as well as a homeless encampment occur on the property.

ENVIRONMENTAL RESOURCE AREA MAPPING

BSC reviewed existing mapping of environmental resources for the project site. The majority of the property is located within the FEMA 100-year floodplain and part of the site appears to be located within the floodway associated with the Little River (a Letter of Map Revision (LOMR) may be needed), as indicated on the attached Environmental Resources Map. NRCS soils maps (Web Soil Survey) indicate that Udorthents, wet substratum, Urban land, wet substratum, and Swansea muck occur on the site. According to the Massachusetts Natural Heritage and Endangered Species Program (NHESP) and the MassGIS data layer for the Massachusetts Natural Heritage Atlas, no areas of Estimated or Priority Habitat for Rare Wildlife or Certified or Potential Vernal Pools exist on the project site. BSC also reviewed the USGS topographic map.

WETLAND RESOURCE AREA FIELD DELINEATION

In addition to reviewing relevant resource area mapping for the project site, BSC conducted an initial wetland field delineation on January 15, 2020. This wetland delineation was conducted in accordance with the MA *WPA regulations*, the Massachusetts Department of Environmental Protection handbook on *Delineating Bordering Vegetated Wetlands Under the Massachusetts Wetlands Protection Act* (March 1995), the *Bylaw regulations*, the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Region (Version 2.0)* (January 2012), and the *Field Indicators for Identifying Hydric Soils in New England* (May, 2018). BSC evaluated onsite vegetation to determine areas where 50% or more of the vegetation qualify as wetland species according to the above-mentioned regulatory documents and according to wetland indicator status as described in the *State of Massachusetts 2016 Wetland Plant List* (http://wetland-plants.usace.army.mil/nwpl_static/data/DOC/lists_2016/States/pdf/MA_2016v1.pdf). In accordance with the above-mentioned soils guidance documents, BSC examined soils to determine where hydric soils occur, by auguring or digging a soil pit to evaluate the top 20 inches of soil for soil texture, color, horizon thickness and depth, and presence/absence of redoximorphic features. BSC also observed the site for evidence of wetland hydrology. Due to winter conditions (lack of growing season hydrology, lack of full suite of vegetation) a decision was made to re-evaluate the wetlands at the site during the growing season. Following the same methodology, the wetland delineation was re-evaluated on October 15, 2020 and a few of the wetland flags were readjusted to accommodate growing season conditions. Wetland flags C-10, C-15 through C-17, C-17A, were moved upgradient to include a pocket of spotted touch-me-not (*Impatiens capensis*), silver maple (*Acer saccharinum*), and green ash (*Fraxinus pennsylvanica*). In addition, wetland flag D-10 was removed and the wetland line was revised to connect D-9 to D-11 based on the presence of cinnamon fern and hydric soils. Wetland data sheets were also prepared (attached).

BSC marked the boundaries of four Bordering Vegetated Wetland (BVW) areas (Series A, B, C and D) with sequentially numbered pink surveyor's tape. Additionally, BSC reviewed conditions at two potential Isolated Vegetated Wetlands (IVW) (H and I Series) that had been identified and flagged during a previous delineation on the site. Two

other IVWs (F and G Series) had also been identified during the previous wetland delineation. BSC did not observe a predominance of wetland vegetation in the previously identified IVW areas on January 15th, 2020. The data plots performed on October 15, 2020 confirm this finding (attached). One isolated area just west of the previously flagged isolated Wetland I on the north side of the property did demonstrate hydric soils (0 – 14” 10YR 2/2, then 14 – 20 10YR 4/3 with high chroma redox and loamy sand texture), but was vegetated with predominantly upland species (multiflora rose (*Rosa multiflora*), Japanese knotweed (*Fallopia japonica*), and garlic mustard (*Alliaria petiolate*)).

Overall, BVW boundaries flagged on January 15, 2020 and readjusted on October 15, 2020 are similar to the boundaries flagged when wetlands were delineated previously in 2009. In some areas, the 2009 delineation extends upgradient of the BSC delineation, and in some areas the BSC delineation extends upgradient of the 2009 delineation. As the BSC delineation is the most recent, and wetland conditions can shift over time, BSC is of the opinion that this most recent delineation most accurately reflects conditions as they exist in the present .

BVW Series A and D are predominantly forested areas. BVW Series B is primarily forested with an area of herbaceous cover (predominantly common reed [*Phragmites australis*]), and BVW Series C is largely herbaceous common reed, with some forested area. Throughout the site, wetlands include the following tree species: red maple (*Acer rubrum*), box elder (*Acer negundo*), American elm (*Ulmus Americana*), white pine (*Pinus strobus*), ash (*Fraxinus sp.*), American Sycamore (*Plantanus occidentalis*), and black willow (*Salix nigra*). Shrub and sapling species include silky dogwood (*Swida amomum*), and box elder saplings. Herbaceous species include common reed, cinnamon fern (*Osmundastrum cinnamomeum*), sensitive fern (*Onoclea sensibilis*), and goldenrod (*Solidago sp.*), and vines include poison ivy (*Toxicodendron radicans*), bittersweet (*Celastrus sp.*), greenbriar (*Smilax sp.*) and wild grape (*Vitis sp.*). In upland locations, tree species include red oak (*Quercus rubra*), white pine, cottonwood (*Populus deltoides*), box elder, and red maple. Shrubs and saplings include white pine, barberry (*Berberis sp.*), brambles (*Rubus sp.*), and multiflora rose. Herbaceous species include upland grasses and goldenrod (*Solidago sp.*), and vines include bittersweet, wild grape, and greenbriar, and poison ivy.

REGULATORY REVIEW

The project site contains state and locally regulated BVW and associated 100-foot buffer zones. BSC notes that the local *Bylaw regulations* identify the 100-foot buffer zone as a regulated resource area, the Adjacent Upland Resource Area (AURA). Further, the *Bylaw regulations* establish a 25-foot “No-Disturbance Zone” where no activities or work is permitted. The *Bylaw regulations* also establish a 75-foot “Restricted Zone” where impacts should be avoided and reasonable alternatives pursued.

The Bylaw regulations define Land Subject to Flooding (LSTF), as noted in *Bylaw Section 4.B. Definition number 35* and *Section 23*. Section 23 specifies that, “Compensatory flood storage shall be at a 2:1 ratio, minimum, for each unit volume of flood storage lost at each elevation.

SUMMARY

BSC has conducted a wetland delineation at the Thorndike Place/Mugar Property that is similar in extent to the previous delineation conducted in 2009. BSC notes that the site is largely within floodplain or floodway.

cc: Marleigh Sullivan, BSC Group, Inc.
Ethan Sneesby, BSC Group, Inc.

MassDEP Bordering Vegetated Wetland (310 CMR 10.55) Delineation Field Data Form

Applicant: Thorndike Place Prepared by: BSC Group, Inc. (SMM & EPS) Project location: Isolated Area, behind houses DEP File #: _____

Check all that apply:

- ☐ Vegetation alone presumed adequate to delineate BVW boundary: fill out Section I only
☒ Vegetation and other indicators of hydrology used to delineate BVW boundary: fill out Sections I and II
☐ Method other than dominance test used (attach additional information)

Section I.

Vegetation	Observation Plot Number: 1 (Wetland)		Transect Number: 1	Date of Delineation: 10/15/2020
A. Sample Layer & Plant Species (by common/scientific name)	B. Percent Cover (or basal Area)	C. Percent Dominance	D. Dominant Plant (yes or no)	E. Wetland Indicator Category*

Trees

<i>Ailanthus altissima</i> / Tree of Heaven	63%	52%	Yes	NI
* <i>Acer rubrum</i> / Red maple	38%	31%	Yes	FACW+
* <i>Acer negundo</i> / Box elder	10.5%	9%	No	FAC+
* <i>Ulmus rubra</i> / Slippery elm	10.5%	9%	No	FAC

Total Percent Cover: 122%

Shrubs/ Saplings

* <i>Acer negundo</i> / Box elder	10.5%	100%	Yes	FAC+
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Total Percent Cover: 10.5%

Herbaceous

<i>Fallopia japonica</i> / Japanese knotweed	63%	86%	Yes	FACU-
<i>Alliaria petiolata</i> / Garlic mustard	10.5%	14%	No	FACU-

Total Percent Cover: 73.5%

Vines

<i>Celastrus orbiculatus</i> / Asian bittersweet	10.5%	50.00%	Yes	FACU
<i>Vitis labrusca</i> / Fox grape	10.5%	50.00%	Yes	FACU

Total Percent Cover: 21%

* Use an asterisk to mark wetland indicator plants: plant species listed in the Wetlands Protection Act (MGL c.131, s.40); plants in the genus *Sphagnum*; plants listed as FAC, FAC+, FACW-, FACW, FACW+, or OBL; or plants with physiological or morphological adaptations. If any plants are identified as wetland indicator plants due to physiological or morphological adaptations, describe the adaptation next to the asterisk.

Vegetation conclusion:

Number of dominant wetland indicator plants: 2

Number of dominant non-wetland indicator plants: 3

Is the number of dominant wetland plants equal to or greater than the number of dominant non-wetland plants? yes ☒ no

If vegetation alone is presumed adequate to delineate the BVW boundary, submit this form with the Request for Determination of Applicability or Notice of Intent

Section II. Indicators of Hydrology

Hydric Soil Interpretation

1. Soil Survey

Is there a published soil survey for this site? ☒ yes ☐ no
title/date: WebSoil Survey/ 2020
map number: 655
soil type mapped: Udorthents, wet substratum
hydric soil inclusions: Yes

Are field observations consistent with soil survey? ☒ yes ☐ no
Remarks:

2. Soil Description

Horizon	Depth	Matrix Color	Mottles Color	Texture
Ap	0-14"	10YR 2/1 (60%) 10YR 2/2 (40%)	- -	Sandy loam
B	14"+	2.5YR 8/4 (90%) 10YR 7/8 (10%)	- -	Sandy loam

Remarks: Area previously disturbed

3. Other:

Conclusion: Is soil hydric? ☒ yes ☐ no

Other Indicators of Hydrology: (check all that apply & describe)

- ☐ Site Inundated: _____
- ☐ Depth to free water in observation hole: _____
- ☐ Depth to soil saturation in observation hole: _____
- ☐ Water marks: _____
- ☐ Drift lines: _____
- ☐ Sediment Deposits: _____

- ☐ Drainage patterns in BVW: _____
- ☐ Oxidized rhizospheres: _____
- ☐ Water-stained leaves: _____

- ☐ Recorded Data (streams, lake, or tidal gauge; aerial photo; other):
☒ Other: Buttressing of *Ailanthus altissima*

Vegetation and Hydrology Conclusion

	Yes	No
Number of wetland indicator plants ≥ # of non-wetland indicator plants		X

Wetland hydrology present:

Hydric soil present	X	
Other indicators of hydrology present	X	

Sample location is in a BVW

X

Submit this form with the Request for Determination of Applicability or Notice of Intent.

MassDEP Bordering Vegetated Wetland (310 CMR 10.55) Delineation Field Data Form

Applicant: Thorndike Place Prepared by: BSC Group, Inc. (SMM & EPS) Project location: Isolated Area, behind houses DEP File #: _____

Check all that apply:

- ☐ Vegetation alone presumed adequate to delineate BVW boundary: fill out Section I only
☒ Vegetation and other indicators of hydrology used to delineate BVW boundary: fill out Sections I and II
☐ Method other than dominance test used (attach additional information)

Section I.

Vegetation	Observation Plot Number: 2 (Upland)		Transect Number: 1	Date of Delineation: 10/15/2020
A. Sample Layer & Plant Species (by common/scientific name)	B. Percent Cover (or basal Area)	C. Percent Dominance	D. Dominant Plant (yes or no)	E. Wetland Indicator Category*

Trees

* <i>Acer negundo</i> / Box elder	85.5%	64%	Yes	FAC+
<i>Ailanthus altissima</i> / Tree of Heaven	38%	28%	No	NI
<i>Quercus alba</i> / Northern white oak	10.5%	8%	No	FACU-

Total Percent Cover: 134 %

Shrubs/ Saplings

* <i>Acer negundo</i> / Box elder	63%	52%	Yes	FAC+
<i>Rosa multiflora</i> / Multiflora rose	38%	31%	No	FACU
* <i>Ulmus rubra</i> / Slippery elm	20.5%	17%	No	FAC

Total Percent Cover: 121.5%

Herbaceous

<i>Alliaria petiolate</i> / Garlic mustard	85.5%	100%	Yes	FACU-
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Total Percent Cover: 85.5%

Vines

Absent

Total Percent Cover: 0%

* Use an asterisk to mark wetland indicator plants: plant species listed in the Wetlands Protection Act (MGL c.131, s.40); plants in the genus *Sphagnum*; plants listed as FAC, FAC+, FACW-, FACW, FACW+, or OBL; or plants with physiological or morphological adaptations. If any plants are identified as wetland indicator plants due to physiological or morphological adaptations, describe the adaptation next to the asterisk.

Vegetation conclusion:

Number of dominant wetland indicator plants: 2

Number of dominant non-wetland indicator plants: 1

Is the number of dominant wetland plants equal to or greater than the number of dominant non-wetland plants? ☒ yes ☐ no

If vegetation alone is presumed adequate to delineate the BVW boundary, submit this form with the Request for Determination of Applicability or Notice of Intent

Section II. Indicators of Hydrology

Hydric Soil Interpretation

1. Soil Survey

Is there a published soil survey for this site? ☒ yes ☐ no
title/date: WebSoil Survey/ 2020
map number: 655
soil type mapped: Udorthents, wet substratum
hydric soil inclusions: Yes

Are field observations consistent with soil survey? ☒ yes ☐ no
Remarks:

2. Soil Description

Horizon	Depth	Matrix Color	Mottles Color	Texture
O	1-0"			
A	0-3"	10YR 2/2	-	Sandy loam
B	3-9"	10YR 3/3	-	Sandy loam

Remarks: Area previously disturbed

3. Other:

Conclusion: Is soil hydric? yes ☒ no ☐

Other Indicators of Hydrology: (check all that apply & describe)

- ☐ Site Inundated: _____
- ☐ Depth to free water in observation hole: _____
- ☐ Depth to soil saturation in observation hole: _____
- ☐ Water marks: _____
- ☐ Drift lines: _____
- ☐ Sediment Deposits: _____
- ☐ Drainage patterns in BVW: _____

- ☐ Oxidized rhizospheres: _____
- ☐ Water-stained leaves: _____
- ☐ Recorded Data (streams, lake, or tidal gauge; aerial photo; other):
- ☐ Other: _

Vegetation and Hydrology Conclusion

	Yes	No
Number of wetland indicator plants ≥ # of non-wetland indicator plants	X	

Wetland hydrology present:

Hydric soil present		X
Other indicators of hydrology present	_____	X

Sample location is in a BVW

X
no

Submit this form with the Request for Determination of Applicability or Notice of Intent.

MassDEP Bordering Vegetated Wetland (310 CMR 10.55) Delineation Field Data Form

Applicant: Thorndike Place Prepared by: BSC Group, Inc. (SMM & EPS) Project location: Arlington- Near flag D-18 DEP File #: _____

Check all that apply:

- ☐ Vegetation alone presumed adequate to delineate BVW boundary: fill out Section I only
☒ Vegetation and other indicators of hydrology used to delineate BVW boundary: fill out Sections I and II
☐ Method other than dominance test used (attach additional information)

Section I.

Vegetation	Observation Plot Number: 1 (Wetland)		Transect Number: 2	Date of Delineation: 10/15/2020
A. Sample Layer & Plant Species (by common/scientific name)	B. Percent Cover (or basal Area)	C. Percent Dominance	D. Dominant Plant (yes or no)	E. Wetland Indicator Category*

Trees

* <i>Acer negundo</i> / Boxelder	20.5%	32%	Yes	FAC+
* <i>Acer saccharinum</i> / Silver maple	20.5%	32%	Yes	FACW
<i>Populus tremulas</i> / Quaking aspen	20.5%	32%	No	FACU
<i>Prunus serotina</i> / Black cherry	3%	5%	No	FACU

Total Percent Cover: 64.5%

Shrubs/ Saplings

* <i>Rhamnus frangula</i> / Glossy buckthorn	20.5%	55%	Yes	FAC
* <i>Acer saccharinum</i> / Silver maple	10.5%	28%	Yes	FACW
* <i>Fraxinus pennsylvanica</i> / Green ash	3%	8%	No	FACW
<i>Rubus strigosus</i> / Common red raspberry	3%	8%	No	FAC-

Total Percent Cover: 37%

Herbaceous

* <i>Onoclea sensibilis</i> / Sensitive fern	85.5%	100%	Yes	FACW
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Total Percent Cover: 89%

Vines

Absent

Total Percent Cover: 0%

* Use an asterisk to mark wetland indicator plants: plant species listed in the Wetlands Protection Act (MGL c.131, s.40); plants in the genus *Sphagnum*; plants listed as FAC, FAC+, FACW-, FACW, FACW+, or OBL; or plants with physiological or morphological adaptations. If any plants are identified as wetland indicator plants due to physiological or morphological adaptations, describe the adaptation next to the asterisk.

Vegetation conclusion:

Number of dominant wetland indicator plants: 4

Number of dominant non-wetland indicator plants: 0

Is the number of dominant wetland plants equal to or greater than the number of dominant non-wetland plants? ☒ yes ☐ no

If vegetation alone is presumed adequate to delineate the BVW boundary, submit this form with the Request for Determination of Applicability or Notice of Intent

Section II. Indicators of Hydrology

Hydric Soil Interpretation

1. Soil Survey

Is there a published soil survey for this site? ☒ yes ☐ no
title/date: WebSoil Survey/ 2020
map number: 51A
soil type mapped: Swansea muck
hydric soil inclusions: Yes

Are field observations consistent with soil survey? ☒ yes ☐ no
Remarks:

2. Soil Description

Horizon	Depth	Matrix Color	Mottles Color	Texture
Oe	0-0.5"			
A	0-1"	10YR2/1	-	Mucky modified SL
Ae	1-4"	10YR 4/2	5YR3/4 (5%)	Mucky modified sandy loam
Bg	4-14"	2.5YR 6/3	7.5YR 4/6 (12%)	sandy loam

Remarks:

3. Other:

Conclusion: Is soil hydric? ☒ yes ☐ no

Other Indicators of Hydrology: (check all that apply & describe)

- ☐ Site Inundated: _____
- ☐ Depth to free water in observation hole: _____
- ☐ Depth to soil saturation in observation hole: _____
- ☐ Water marks: _____
- ☐ Drift lines: _____
- ☐ Sediment Deposits: _____

- ☐ Drainage patterns in BVW: _____
- ☐ Oxidized rhizospheres: _____
- ☐ Water-stained leaves: _____
- ☐ Recorded Data (streams, lake, or tidal gauge; aerial photo; other):
- ☐ Other: _

Vegetation and Hydrology Conclusion

	Yes	No
Number of wetland indicator plants ≥ # of non-wetland indicator plants	X	
Wetland hydrology present:		
Hydric soil present	X	
Other indicators of hydrology present		X_____
Sample location is in a BVW	X	

Submit this form with the Request for Determination of Applicability or Notice of Intent.

MassDEP Bordering Vegetated Wetland (310 CMR 10.55) Delineation Field Data Form

Applicant: Thorndike Place Prepared by: BSC Group, Inc. (SMM & EPS) Project location: Arlington- Near flag D-18 DEP File #: _____

Check all that apply:

- ☐ Vegetation alone presumed adequate to delineate BVW boundary: fill out Section I only
☒ Vegetation and other indicators of hydrology used to delineate BVW boundary: fill out Sections I and II
☐ Method other than dominance test used (attach additional information)

Section I.

Vegetation	Observation Plot Number: 2 (Upland)		Transect Number: 2	Date of Delineation: 10/15/2020
A. Sample Layer & Plant Species (by common/scientific name)	B. Percent Cover (or basal Area)	C. Percent Dominance	D. Dominant Plant (yes or no)	E. Wetland Indicator Category*

Trees

<i>Prunus serotina</i> / Black cherry	63%	75%	Yes	FACU
<i>Ailanthus altissima</i> / Tree of Heaven	20.5%	25%	No	NI
<i>Total Percent Cover: 83.5%</i>				

Shrubs/ Saplings

<i>Rhus hirta</i> / Staghorn sumac	20.5%	49%	Yes	NI
<i>Prunus serotina</i> / Black cherry	10.5%	25%	Yes	FACU
<i>Rubus strigosus</i> / Common red raspberry	10.5%	25%	No	FAC-
<i>Total Percent Cover: 41.5%</i>				

Herbaceous

<i>Solidago canadensis</i> / Canada goldenrod	38%	65%	Yes	FACU
<i>Phytolacca americana</i> / American pokeweed	20.5%	35%	No	FACU+
<i>Total Percent Cover: 58.8%</i>				

Vines

Absent

Total Percent Cover: 0%

* Use an asterisk to mark wetland indicator plants: plant species listed in the Wetlands Protection Act (MGL c.131, s.40); plants in the genus *Sphagnum*; plants listed as FAC, FAC+, FACW-, FACW, FACW+, or OBL; or plants with physiological or morphological adaptations. If any plants are identified as wetland indicator plants due to physiological or morphological adaptations, describe the adaptation next to the asterisk.

Vegetation conclusion:

Number of dominant wetland indicator plants: 0

Number of dominant non-wetland indicator plants: 4

Is the number of dominant wetland plants equal to or greater than the number of dominant non-wetland plants? yes ☒ no

If vegetation alone is presumed adequate to delineate the BVW boundary, submit this form with the Request for Determination of Applicability or Notice of Intent

Section II. Indicators of Hydrology

Hydric Soil Interpretation

1. Soil Survey

Is there a published soil survey for this site? ☒ yes ☐ no
title/date: WebSoil Survey/ 2020
map number: 51A
soil type mapped: Swansea muck
hydric soil inclusions: Yes

Are field observations consistent with soil survey? ☒ yes ☐ no
Remarks:

2. Soil Description

Horizon	Depth	Matrix Color	Mottles Color	Texture
A	0-1"	10YR 2/2		
Bw ₁	1-6"	10YR 3/3	-	Sandy loam
Bw ₂	6-12+"	10YR 4/4	-	Sandy loam

Remarks:

3. Other:

Conclusion: Is soil hydric? ☒ yes ☐ no

Other Indicators of Hydrology: (check all that apply & describe)

- ☐ Site Inundated: _____
- ☐ Depth to free water in observation hole: _____
- ☐ Depth to soil saturation in observation hole: _____
- ☐ Water marks: _____
- ☐ Drift lines: _____
- ☐ Sediment Deposits: _____
- ☐ Drainage patterns in BVW: _____
- ☐ Oxidized rhizospheres: _____

- ☐ Water-stained leaves: _____
- ☐ Recorded Data (streams, lake, or tidal gauge; aerial photo; other):
- ☐ Other: _

Vegetation and Hydrology Conclusion

	Yes	No
Number of wetland indicator plants ≥ # of non-wetland indicator plants		X
Wetland hydrology present:		
Hydric soil present		X
Other indicators of hydrology present		X_____
Sample location is in a BVW		X

form with the Request for Determination of Applicability or Notice of Intent.

MassDEP Bordering Vegetated Wetland (310 CMR 10.55) Delineation Field Data Form

Applicant: Thorndike Place Prepared by: BSC Group, Inc. (SMM & EPS) Project location: Arlington- Near flag C-14 DEP File #: _____

Check all that apply:

- ☐ Vegetation alone presumed adequate to delineate BVW boundary: fill out Section I only
☒ Vegetation and other indicators of hydrology used to delineate BVW boundary: fill out Sections I and II
☐ Method other than dominance test used (attach additional information)

Section I.

Vegetation	Observation Plot Number: 1 (Wetland)		Transect Number: 3	Date of Delineation: 10/15/2020
A. Sample Layer & Plant Species (by common/scientific name)	B. Percent Cover (or basal Area)	C. Percent Dominance	D. Dominant Plant (yes or no)	E. Wetland Indicator Category*

Trees

* <i>Populus deltoides</i> / Eastern cottonwood	20.5%	40%	Yes	FAC
<i>Ailanthus altissima</i> / Tree of Heaven	20.5%	40%	Yes	NI
* <i>Fraxinus pennsylvanica</i> / Green ash	10.5%	20%	Yes	FACW
Total Percent Cover: 51.5 %				

Shrubs/ Saplings

<i>Rhus hirta</i> / Staghorn sumac	20.5%	60%	Yes	NI
* <i>Populus deltoides</i> / Eastern cottonwood	10.5%	31%	Yes	FAC
<i>Rosa multiflora</i> / Multiflora rose	3%	9%	No	FACU
Total Percent Cover: 34%				

Herbaceous

* <i>Solidago patula</i> / Rough stem goldenrod	38%	53%	Yes	OBL
<i>Phytolacca americana</i> / American pokeweed	20.5%	28%	Yes	FACU+
* <i>Rubus hispidus</i> / Creeping dewberry	10.5%	15%	No	FACW
* <i>Phragmites australis</i> / Common reed	3%	4%	No	FACW
Total Percent Cover: 72%				

Vines

Absent

Total Percent Cover: 0%

* Use an asterisk to mark wetland indicator plants: plant species listed in the Wetlands Protection Act (MGL c.131, s.40); plants in the genus *Sphagnum*; plants listed as FAC, FAC+, FACW-, FACW, FACW+, or OBL; or plants with physiological or morphological adaptations. If any plants are identified as wetland indicator plants due to physiological or morphological adaptations, describe the adaptation next to the asterisk.

Vegetation conclusion:

Number of dominant wetland indicator plants: 4

Number of dominant non-wetland indicator plants: 1

Is the number of dominant wetland plants equal to or greater than the number of dominant non-wetland plants? yes no

If vegetation alone is presumed adequate to delineate the BVW boundary, submit this form with the Request for Determination of Applicability or Notice of Intent

Section II. Indicators of Hydrology

Hydric Soil Interpretation

1. Soil Survey

Is there a published soil survey for this site? ☒ yes ☐ no
title/date: WebSoil Survey/ 2020
map number: 655
soil type mapped: Udorthents, wet substratum
hydric soil inclusions: Yes

Are field observations consistent with soil survey? ☒ yes ☐ no
Remarks:

2. Soil Description

Horizon	Depth	Matrix Color	Mottles Color	Texture
A	0-1"	10YR 2/1	-	Sandy loam
Bc	1-14"+	10YR 4/2	Depletion: 7.5YR 4/6 (12%) 10YR 6/2 (10%)	Sandy loam

Remarks:

3. Other:

Conclusion: Is soil hydric? ☒ yes ☐ no

Other Indicators of Hydrology: (check all that apply & describe)

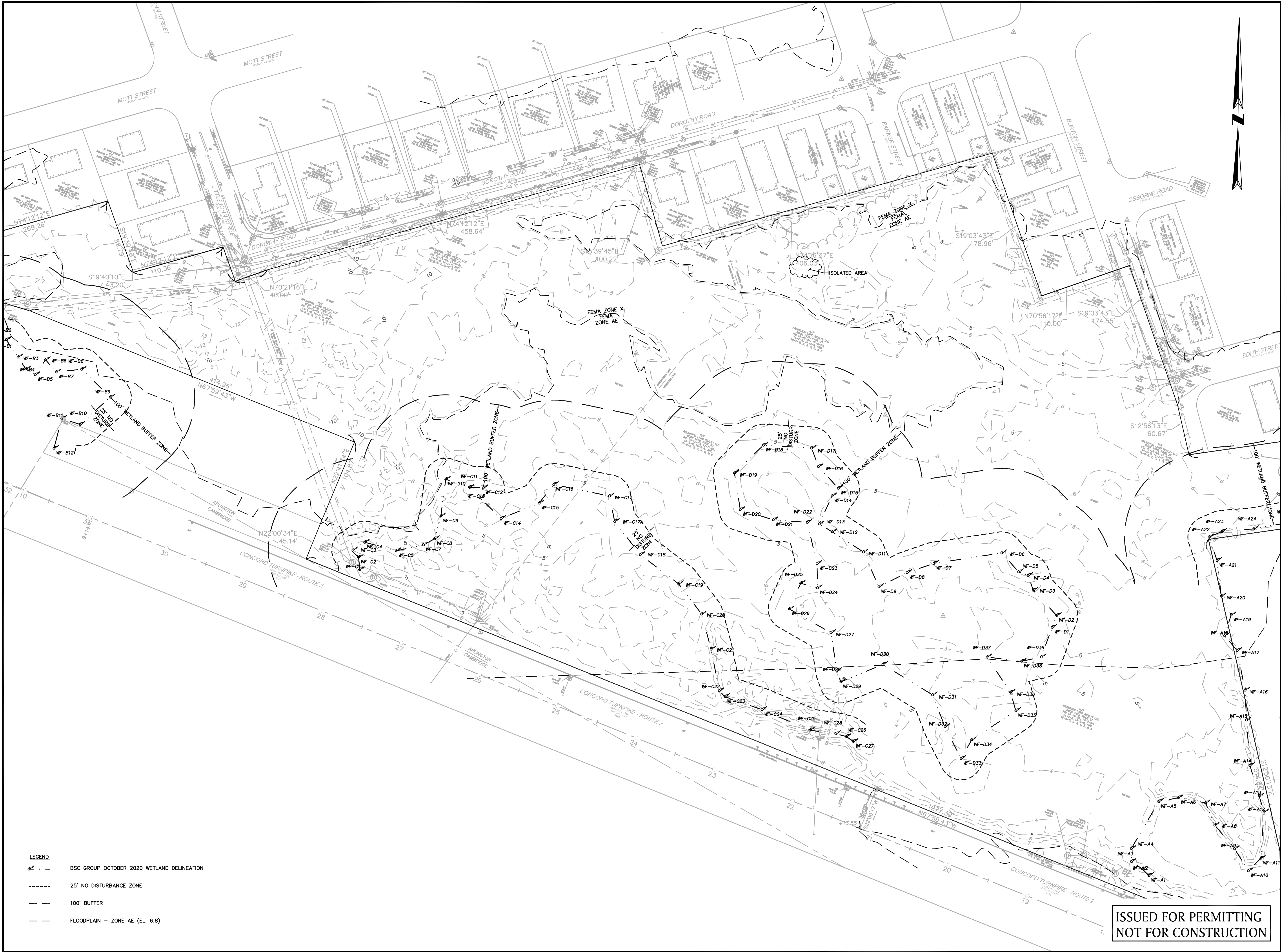
- ☐ Site Inundated: _____
- ☐ Depth to free water in observation hole: _____
- ☐ Depth to soil saturation in observation hole: _____
- ☐ Water marks: _____
- ☐ Drift lines: _____
- ☐ Sediment Deposits: _____
- ☐ Drainage patterns in BVW: __Present_____

- ☐ Oxidized rhizospheres: _____
- ☐ Water-stained leaves: _____
- ☐ Recorded Data (streams, lake, or tidal gauge; aerial photo; other):
- ☐ Other: _

Vegetation and Hydrology Conclusion

	Yes	No
Number of wetland indicator plants ≥ # of non-wetland indicator plants	X	
Wetland hydrology present:		
Hydric soil present	X	
Other indicators of hydrology present	X	
Sample location is in a BVW	X	

Submit this form with the Request for Determination of Applicability or Notice of Intent.



PROFESSIONAL ENGINEER DATE

THORNDIKE PLACE

DOROTHY ROAD
IN
ARLINGTON
MASSACHUSETTS
(MIDDLESEX COUNTY)

EXISTING
ENVIRONMENTAL
RESOURCES PLAN
MARCH 13, 2020

REVISIONS:		
NO.	DATE	DESC.
1	10/22/20	WETLAND DELINEATION

PREPARED FOR:
ARLINGTON LAND REALTY, LLC
84 SHERMAN STREET, 2ND FLOOR
CAMBRIDGE, MA 02140

BSC GROUP
803 Summer Street
Boston, Massachusetts
02127
617 896 4300

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SCALE: 1" = 50'
0 25 50 100 FEET
FILE: 2340700\C\2340700-CONSTRAINTS
DWG.:
JOB. NO: 23407.00 SHEET C-100

TAB 2

2.12 Compensatory Flood Storage

A portion of the project site is located within the 1% Chance Annual Flood as defined by FEMA, which is regulated under the Wetlands Protection Act as Bordering Land Subject to Flooding (BLSF). In order to protect the values provided by BLSF and prevent downstream flooding impacts, the project is required to provide compensatory flood storage on a 1-foot incremental basis to match whatever is lost due to the project's development. In order to provide this compensatory flood storage, the project will minimize the area of BLSF impacted and regrade a portion of the project property southeast of the proposed building as shown on the Plans. This regraded area will provide compensatory flood storage at a 2 to 1 ratio for any flood storage lost. A breakdown of the flood storage impacts and compensatory storage provided is shown below:

<u>Elevations</u>	<u>Existing Incremental Available Flood Storage (CU.FT.)</u>	<u>Incremental Available Flood Storage with No Compensatory Storage (CU.FT.)</u>	<u>Incremental Flood Storage Change w/No Compensatory Storage (CU.FT.)</u>	<u>Proposed Incremental Compensatory Storage (CU.FT.)</u>	<u>Ratio of Compensatory Storage to Storage Lost</u>
5.0 - 6.0	136.0	67.5	-68.5	146.0	2.1
6.0 - 6.8	9,327.6	5,003.2	-4,324.4	9,014.8	2.1

As shown above, the project will exceed the 2 to 1 ratio of compensatory flood storage for all flood storage lost due to the project development. In addition, as shown on the Plans, the proposed compensatory storage is hydrologically connected to the flood plain impacted by the project. Therefore, the project as proposed meets the applicable requirements for BLSF in the Wetlands Protection Act.

TAB 3

Table 3-2: Tree removal and replacement details

Species	1.5"-6" Decid dbh 4'-6' Evergreen	6"-10" Decid dbh 6'-10' Evergreen	>10" Decid dbh >10' Evergreen	Replacement Quantity Required
American Elm	2	1	3	19
Black Cherry	21	16	13	142
Yellow Birch	1	0	3	14
Box Elder	12	10	2	62
Chinese Crabtree	4	0	0	8
White Ash	2	3	0	13
Common Buckthorn	2	1	0	7
Chinese Sumac	2	0	3	16
Staghorn Sumac	1	0	0	2
Amur Honeysuckle	1	0	0	2
Black Locust	0	2	0	6
Paradise Apple	1	2	0	8
Honey Locust	0	1	0	3
Silver Maple	0	0	5	20
Red Elm	0	0	1	4
Red Maple	0	0	1	4
Norway Maple	12	3	5	53
Black Alder	1	0	0	2
Butternut Hickory	1	0	1	6
Common Hackberry	0	1	0	3
Field Elm	0	1	1	7
Green Ash	0	1	1	7
Sweet Cherry	1	0	0	2
Carolina Buckthorn	1	0	0	2
American Hornbeam	1	0	0	2
Black Ash	1	0	0	2
Mexican Plum	0	1	0	3
Sweet Birch	0	0	2	8
TOTAL	67	43	41	427

Due to the extensive local requirements for revegetation, the Project has made every effort to replant the required “in-kind” replacement per Section 25 of the Arlington bylaw. However, as the impacted jurisdictional resource areas are already heavily vegetated, planting almost 300 more trees in the same area will result in crowded conditions that will reduce the success of plantings. As such, the project is maximizing the replacement tree plantings (see Planting Plan included in **Attachment B**) and is willing to seek alternate methods to full compliance with Section 25 in coordination with the Conservation Commission.

All “in-kind” replacement plantings will be in accordance with the requirements of Section 25 and will be monitored on an annual basis for three years by a Professional Landscape Architect and Wetland Ecologist (as appropriate). This three-year period shall begin in the first planting year, if plantings occur in the Spring, or the year after planting, if the plantings occur in the Fall. A report on the status of all plantings will be prepared and submitted annually in June to the Conservation Commission and ZBA (or their designees) in accordance with Condition C.1.e. of the Comprehensive Permit. The report will include photo documentation, the health of new

TAB 4



Matt Burne, PWS

Senior Ecologist

YEARS OF EXPERIENCE

29

EDUCATION

MS, Wildlife and Fisheries
Conservation
University of Massachusetts
Amherst

BS, Environmental
Science/Wetland Ecology,
Botany
University of Massachusetts
Amherst

CERTIFICATIONS

- Professional Wetland
Scientist
- Invasive Plant Management -
Massachusetts

AFFILIATIONS

- Vernal Pool Association
Founder, Vice President
- Society of Wetland Scientists
- Association of Massachusetts
Wetland Scientists

GOVERNMENT SERVICE

- MA Department of
Conservation and Recreation
Forest Futures Visioning
Process Technical Steering
Committee
(2009–2010)
- City of Malden Conservation
Commission
(2020–present)

MEET MATT

Matt has expertise in wildlife biology, conservation science, management, and policy. He has extensive field experience conducting wildlife and rare species surveys, vernal pool evaluations as well as in wetland permitting review. Throughout his career, Matt has developed skills in several areas, including conservation planning, land protection, land management, facilitation, and communication. He applies these skills in educating the public, conservation professionals, and natural resource agency personnel on wildlife habitats and protection strategies.

Matt spent 10 years as an ecologist with the Massachusetts Division of Fisheries and Wildlife's Natural Heritage & Endangered Species Program as a Wetland Environmental Reviewer and Vernal Pool Ecologist focused on vernal pools, state-listed reptiles, amphibians, and invertebrates. During that time, he oversaw the state's Vernal Pool Certification Program and created the Massachusetts Potential Vernal Pool Survey, a state-wide aerial photographic interpretation of potential vernal pools. He also spent 15 years as the Conservation Director for a non-profit land trust in Lincoln, MA. He is the author of several publications and conducts public outreach and education on a regular basis.

PROJECT EXPERIENCE HIGHLIGHTS

Conservation and Management Permit, National Grid, 315/327/303/3520 Line Refurbishment, Southeast MA

Senior Ecologist

Responsible for preparation of project permit under Massachusetts Endangered Species Act (MESA). Matt conducted extensive negotiation for successfully mitigating project impacts through land transfer to municipal conservation agency and designed and produced the Rare Species Field Issue to provide contractors with detailed information needed for impact avoidance during construction. Matt also prepared rare turtle and salamander protection plans for the project.

Matt has provided regular rare species EFI training to National Grid and contractors working under the MESA Conservation and Management Permit (CMP). He is the named permittee on the annual Scientific Collection Permit and is responsible for training and oversight of sub-permittees comprising BSC ecologists supporting the on-going oversight of work conducted under the CMP.

Wildlife Habitat Evaluations, National Grid, A1/B2 ACR, Central MA

Senior Ecologist

Responsible for planning and implementing Wildlife Habitat Evaluations on the Project Right-of-Way for compliance with Massachusetts Wetlands Protection Act. Conducted desktop analysis and field data collection planning, conducted surveys and analysis, and managed ecological staff contributing to data collection and analysis.

Wildlife Tracking Survey, Concord, MA

Senior Ecologist

Contributed to long-term wildlife tracking and road mortality survey for Massachusetts Department of Transportation Route 2 Wildlife Underpass project. Surveys provide data on wildlife species utilizing built mitigation infrastructure.

Preliminary Wildlife Habitat Evaluation, National Grid 394/397 ACR, Tewksbury and West Newbury, MA

Senior Ecologist

Responsible for conducting a comprehensive survey of important wildlife habitat features for state listed turtle and amphibian species along a 35-mile electric powerline right of way. Matt developed parameters for ArcView Dashboard project to share field observations and evaluation results with state regulators.

PRIOR TO JOINING BSC, MATT CONTRIBUTED TO THE FOLLOWING PROJECTS:

Wildlife Habitat Assessment, Private Client, Wayland, MA

Ecologist

Responsible for wildlife habitat assessment and StreamStats review of wetland resources on development site. Matt conducted independent StreamStats analysis of intermittent stream and provided expert opinion concerning wildlife habitat values of wetlands on project site for consideration by the Conservation Commission.

PROFESSIONAL DEVELOPMENT WORKSHOPS

Throughout his career, Matt has developed and delivered hundreds of training sessions, workshops and field trips relating to amphibians, reptiles, vernal pools and wetlands for colleagues, the general public, local, state, and federal regulators. Matt is a skilled educator and was named the Educator of the Year by the Massachusetts Association of Conservation Commissions in 2021.

Vernal Pools – what they are and how we protect them. Massachusetts Association of Conservation Commissions Annual Environmental Conference. 2001–2023. Conference workshop focused on vernal pool functions and values and regulatory protection under state and federal wetlands protection laws.

Turtles of Massachusetts. 2022. Produced and delivered day-long professional development training session to BSC Ecological Staff with Sarah Barnum, Ph.D. Training included species identification, habitat requirements and safe handling practices to prepare staff for supporting turtle protection plan implementation under Conservation and Management Permits, wildlife surveys, wildlife habitat evaluations under state wetland regulations, rare species surveys, and to encourage contributions to the state of the science.

THROUGHOUT HIS CAREER, MATT HAS PUBLISHED A VARIETY OF BOOKS AND PEER REVIEWED PUBLICATIONS AS WELL AS CONTRIBUTING TO THE DESIGN AND PRE-PRESS PREPARATION OF SEVERAL WORKS.